

FINAL REPORT  
OF THE  
REVISED SETTLEMENT  
OF  
KANGRA PROPER.



कांगड़ा नियन्त्रण

# FINAL REPORT OF THE REVISED SETTLEMENT OF KANGRA PROPER.

## CHAPTER I.

### DESCRIPTIVE AND STATISTICAL.

The Kángra district consists of two almost distinct parts, Kángra Proper to the west and Kulu to the east, connected by a neck running along the main range north of the Mandi State, which almost cuts the one part off from the other. The settlement operations were carried on simultaneously in the two tracts, and practically independently. In Kulu the settlement was made by Mr. Diack, Assistant Commissioner, under the nominal control of the Collector of the district, Mr. O'Brien, who himself superintended the work in Kángra Proper. Just after the last assessment report had been submitted and approved, Mr. O'Brien met with an accident, which resulted in his death, and it fell to me to write the report on the settlement which, with some few exceptions, was completed before I joined the district. This report refers exclusively to Kángra Proper, a separate report being prepared for Kulu by Mr. Diack. My difficulties in writing it have been much increased by the fact that the settlement was not carried out on the ordinary methods, but was the personal settlement of Mr. O'Brien, who did not in some cases leave on record the grounds he had for the conclusions he arrived at, and it has unfortunately been necessary for me occasionally to differ from his conclusions, and in matters of any importance it seemed to be my duty to record my reasons for holding a different opinion. As far as possible, I have used Mr. O'Brien's own words, but in all doubtful points a reference should be made to the original assessment reports.

2. Kángra Proper extends from the top of the outer Himalaya which Kángra Proper and its separates it from Chamba on the north to the Sutlej on tahsils. the extreme south. On the east it is bounded by the Mandi and Biláspur Native States. The Hoshiárpur district and the Beás form the long south-western boundary, while Gurdáspur comes in for a short distance on the north-west. The distance from the Chakki stream near Pathánkot to the Sutlej on the south-east has been calculated at 80 miles, and the average width may be roughly put at 36 miles, and the total area taken account of in the revenue records is 2,510 square miles.

Up to the present settlement this tract was divided into four talisíls Kángra, Núrpur, Dehra and Hamírpur, and Kángra had Pálampur as an outpost under a Náib-Tahsíldár who was taken from the Hamírpur tahsíl, which was left with only a Tahsíldár. The task of administering both Kángra and Pálampur by one Tahsíldár had been found impracticable, especially after Pálampur became the chief seat of the tea industry. The establishment for Pálampur was borrowed from the other talisíls which were thus left short-handed. It was at first intended merely to sanction the ordinary tahsíl staff without a Tahsíldár, but on the urgent representation of Mr. C. Rivaz, Pálampur was in 1887 raised to the status of a tahsíl with a Tahsíldár, Náib-Tahsíldár and full tahsíl establishment. This was absolutely necessary in view of the revision of the assessment; and the need of efficient supervision of the new records.

With only one Revenue Officer in Hamírpur and one in Pálampur, and both very much tied to head-quarters by the treasury work, mutations could not have been attested on the spot; nor the pátwáris' field work inspected. Pálampur was therefore constituted a new tahsíl, consisting of the eastern part of Kángra and all that part of the Hamírpur tahsíl which lay on the northern or right side of the Beás. Since 1887 there have been five tahsíls in Kángra Proper.

The Kángra tahsíl lies between the Daoula Dhár and the high range known as the Kálidhár on the south, that marks off the valley or *pálam* at the foot of the main range from the basin of the Beás. It consists of three very distinct parts: (a) the main range and the villages at or near its foot; (b) the valley below extending to the town of Kángra; and (c) the broken hilly country to the south which includes the Bargiráon and Rámgarh talukás.

The Pálampur tahsíl extends from the main range to the Beás, with the Kángra and Dehra tahsíls on the west, and on the east Mandi and Kulu which it touches by taluka Bangahal high up on the Himalayas. In its general features it resembles Kángra, but it is higher, not so level nor so fertile, and is much exposed to hailstorms. It was at the first settlement much more backward than Kángra, but it is now well provided with roads, and the prosperity of the tract has much increased with the introduction of tea cultivation which provides labour for people not merely from the tahsíl itself but also from Hamírpur and Kángra. Part of taluka Bangahal lies north of the outer Himalaya in the basin of the Rávi. The main portion of the Lambagráon jágír is in this tahsíl, near the Beás.

The Núrpur tahsíl lies farthest to the west; it does not reach to the Daoula Dhár from which it is cut off by the Chamba State, which in this direction comes well to the south of the main range which here takes a turn more to the north. On the west it adjoins the Kángra and Dehra tahsíls, and on the south and east the boundaries with Hoshiárpur and Gurdáspur are for the most part the Beás and the Chakki, but a few villages lie on the further sides of these rivers. It consists mostly of a confused mass of hills, with many streams running in deep beds which are consequently of little use for irrigation. Part of it is known as *anohi* or the waterless.

The Dehra tahsíl extends from the high ridge on the north towards the Kángra tahsíl across the valley of the Beás to the Jaswan range on the south, which forms the boundary with Hoshiárpur. The Beás cuts the tahsíl in two unequal portions, the larger being on the north; and the tract is much cut up by the streams running into that river, which unfortunately afford little irrigation. The alluvial plain known as the Haldún lies near the mouth of the Gai and Baner streams, from which its rich level soil is irrigated, and, but for this, the tahsíl would be about as badly irrigated as Hamírpur. The hills on the south are well-wooded with deciduous trees, but in many parts on the north the soil is very shallow and the bare rock stands out, and the evil is spreading, and land is being thrown out of cultivation. The Guler and Dáda-Siba jágírs are in this tahsíl.

The Hamírpur tahsíl, which is the largest in Kángra Proper, lies between the Beás and the Sutlej, and is the most southern tahsíl. It looks in some parts fairly level, but there are broken masses of hills all over the tahsíl, and its surface is much cut up by streams in deep channels, which with one or two exceptions are useless for purposes of irrigation. Water is often scarce in the hot months. It is the most "insecure" tahsíl in Kángra. The rainfall is generally sufficient and good rice is grown even on *báráni* land in some parts; but from the nature of the country and of the soil, the rain is drained off very quickly and is not retained so that any long break in the rains is disastrous. The irrigated area is only 2 per cent. of the whole, and even that is not secure. The most insecure part of the tahsíl is on the north-east corner which is rugged and inaccessible. The Kutlehr and Nádaun jágírs are entirely and the Lambagráon jágírs is partly in this tahsíl.

3. The tahsíls are all divided into talukás which are "of ancient origin, probably contemporaneous with the first occupation of the hills, and usually follow the natural landmarks of the country." Mr. Lyall made a few changes at the revis'd settlement, but

they were unimportant, and these *talukás* determined as they generally are by the physical features of the tract exist now practically as they existed long before annexation. Mr. Lyall, wrote as follows of these subdivisions:—

" It is important that these *taluka* boundaries should be recognized and respected in all administrative arrangements. The peasant proprietors of the hills who are a mixture of every caste and class have strong local feelings or prejudices, which assist them in working together. To be of the same *taluka* is felt to be a considerable bond of union among headmen of villages; this is a sentiment which should be fostered as it may be very useful hereafter."

These *talukás* are divided into *maurás* or *tappás*, which had originally been made for purposes of administration, and in no way correspond to the village or *mauza* of the plains which indicates one property. The common bond that defined the hill village was the more or less conventional one that the various landholders had to pay their revenue to one headman. They were merely an aggregation of hamlets and sometimes of detached fields. These hamlets, known as *tika*, *gráon* or *gáon*, *lárh* or *básá*, are probably in most places the homes of the first settlers, who selected in the waste a suitable place for a house with land conveniently situated for cultivation and for grazing. The family gradually increased in numbers and extended its borders, by occupying the cultivated land and the patches of waste mixed up among the fields. All landholders in the hills agree that they derived their title from the *patta* or grant of the Rája, and that grant extended only to certain fields or culturable areas, and not to large tracts, including both cultivation and waste. The boundaries in the waste were at first not fixed as between *tika* and *tika*; and it was not until it was declared that the waste was the property not of the Government but of the people that it became necessary to define the boundaries of hamlets. This was done as part of the revised settlement, and the procedure, followed in the *tikabandi* is fully described in paragraph 173 of Mr. Lyall's Report. The *tikás* are now miniatures of the villages in the plains, and all statistics prepared in the plains by villages should, in this district, be prepared by *tikás*, but the great number of *tikás* prevents this being done.

The statement given below shows the number of these divisions and subdivisions:—

Tahsíl.						Number of talukás.	Number of villages or <i>tappás</i> .	Number of <i>tikás</i> .
Kángra	...	...	...	...	...	5	134	1,028
Núrpur	...	...	...	...	...	14	195	847
Dehra	...	...	...	...	...	13	145	1,241
Hamírpur	...	...	...	...	...	6	64	1,983
Pálampur	...	...	...	...	...	3	113	1,152
Total						41	651	6,251

4. There are no railways in the district, and until recently there was no communications and metalled road, and now there is only one. The principal towns. lines of communication are the Pathánkot-Pálampur and the Jullundur-Dharmásala roads crossing near Kángra; they are the only roads suitable for carts. The Pathánkot road is now almost fully bridged and is metalled in many parts, and even during the rains is the main line of traffic, especially since the Amritsar-Pathánkot Railway was opened. It runs through Núrpur, Kángra and Pathánkot from west to east, and there are innumerable accommodation roads meeting it. The Jullundur road runs north and south, through Kángra and Dehra tahsíls, crossing the Beás by ferry during the rains and by a bridge-of-boats at other seasons. The Hamírpur tahsíl alone is cut off

from all wheel traffic except *ekkás* which occasionally come along the Mandi-Phagwára road. This road, which runs as straight as the country will admit from the town of Mandi to the Phagwára Railway station, was constructed during the last 15 years and has tended immensely to open up this almost inaccessible tahsíl. The gradients are moderate and camels come along it with ease. Most of the Kulu trade and Central Asian trade passes along this road, which is the principal outlet to the plains for all this country. In all tahsíls communications have vastly improved since the regular settlement: the smaller roads are in much better order, there are still places where camels cannot go, but they are steadily decreasing in number; mules can go practically everywhere.

There are no large towns, the only places with Municipal Committees and municipal taxation are Dharmásala, Kángra and Núrpur, and Kángra, the largest, has a population only of 5,234. Kángra and Núrpur are dependent entirely on their own trade and are not thriving. The pilgrims to the Golden Temple at Kángra are decreasing; and Núrpur lost its trade in shawls with the Franco-Prussian war, and its Kashmíri population has largely left it. They have not got the advantages of Dharmásala with its civil and military residents. Tihra, Sujánpur and Nádaoun in Hamírpur tahsíl, Jowálamukhi and Haripur in Dehra tahsíl have *bazárs* of some local importance. Pálampur, the headquarters of the tea industry, is extending and prospering in spite of the depressed state of tea. All these places are connected with the main roads, and communications have been so much improved that shops are now scattered all over the country, and the people have no great distance to go to get their wants supplied.

5 I give below a statement showing the average rainfall according to Rainfall. the Meteorological Reporter's figures:—

Stations.		From June to September (4 months).	From October to December (3 months).	From January to May (5 months).	Total of the year.
Kángra	...	58.83	1.86	10.05	70.74
Dharmásala	...	100.12	2.88	17.80	120.30
Núrpur	...	50.81	2.59	12.47	65.87
Pálampur	...	81.34	3.30	17.94	102.58
Hamírpur	...	38.69	1.62	9.63	49.94
Dehra	...	43.26	1.44	10.21	54.91

The rainfall varies inversely with the distance from the main range. Dharmásala which is on the range has by far the greatest, but Pálampur which is just at its foot is not much behind, while Hamírpur which is the most southern station has less than half. The variations from these averages are often enormous. In 1894-95 the rainfall in Dharmásala was 200 inches, in Pálampur 150 and in Hamírpur and Dehra about 100 inches each. On the other hand, in 1891-92, the rainfall in Hamírpur was only 26 inches, and in Núrpur only 33, or half the average. So in 1895-96 the rainfall for October, November and December in Hamírpur Núrpur and Dehra was only half an inch or less; and the rabi sowings suffered in consequence.

As a rule the rainfall is sufficient on the whole, but the low hills suffer immediately upon a break. What suits them best is a succession of showers at short intervals, lasting long enough into September or even October to enable the rabi seed to be put into the ground. Then good rain about Christmas and another shower in February or March when the grain is coming into ear will ensure a good year.

Population. 6. The population of the tahsils in 1868, 1881 and 1891 are given below :—

Tahsíl.	POPULATION IN			Increase or decrease per cent. between 1881 and 1891.	Population per square mile of cultivation.
	1868.	1881.	1891.		
Kángra ... ... ...	121,807	120,225	125,538	+4·1	1,215
Pálampur ... ... ...	116,228	122,024	129,599	+6·2	1,045
Hamírpur ... ... ...	154,824	152,605	162,705	+6·6	687
Dehra ... ... ...	125,588	121,423	125,512	+3·4	761
Núrpur ... ... ...	123,581	105,244	104,895	-0·3	628
Total ...	642,028	621,521	647,849	+4·2	813

It is impossible to compare these figures with those of the first regular settlement, as there have been several changes in the boundaries of the tahsils and even of the district since that time. There was apparently no enumeration in Siba and Guler in 1868; or at least I have not got the figures, and to complete the statement the population of 1881 has been taken as that of 1868. Between 1868 and 1881 the population of Kángra and Hamírpur fell slightly and in Dehra considerably, but as has been mentioned the figures for that tahsíl are doubtful. In Pálampur there was an appreciable increase as was to be expected from the introduction and extension of tea cultivation which drew labour from all sides. There was a marked decrease of 18,337 in Núrpur. This is to some extent explained by the failure after 1870-71 in the town of Núrpur of the shawl trade and the departure to Amritsar and Ludhiána of many Kashmíris; this accounts for one-quarter of the decrease. There were, however, other causes at work as the decrease is shown in every *taluka* of the tahsíl. In reviewing the Núrpur Assessment Report Mr. Macworth Young wrote that he did not think it at all certain that there had been such a falling off: the Census of 1868 was the first organized, and from personal recollection Mr. Young could state that the difficulties of enumeration in the Kángra hills were considerable; and this is applicable to the Dehra tahsíl also. In the Gurdáspur district also the population of 1881 was below that of 1868. Since 1881 there has been an increase in every tahsíl except Núrpur, and there the population was stationary. The increase, however, was only 4 per cent., but probably an even larger number of Kángra people were away on service of various kinds in 1891 than in 1881. With a population of 813 to the square mile of cultivation, entirely dependent on the soil, a large increase was hardly to be expected.

Details of cultivation and crops.

7. The following statement shows the details of cultivation in the five tabsíls in 1895-96 :—

Tahsíl.	Total of cultivated area.	Area khundkásh.	Under cultivation of tenants who pay no rent.	Tenants having occupancy rights.		Tenants-at-will.	
				Paying in cash.	Paying in kind.	Paying in cash.	Paying in kind.
Kángra ... ... ...	65,254	39,210	118	231	1,272	1,015	23,408
Núrpur ... ... ...	107,036	56,753	404	1,675	4,150	4,477	33,577
Dehra ... ... ...	106,063	76,594	249	587	1,217	3,927	23,499
Hamírpur ... ... ...	151,597	122,087	346	597	8,281	2,269	18,017
Pálampur ... ... ...	79,629	50,159	456	100	945	804	27,156
Total ...	509,579	344,803	1,573	3,199	15,865	12,492	131,647
	100	67·66	·3	·32	3·11	2·45	25·83

Of the total area 68 per cent. is cultivated by the proprietors and by tenants paying no rent. This does not mean that the proprietors cultivate with their own hands. A great many Brahmins and Rájpúts will not touch a plough but they employ farm labourers or *kámás*. These labourers get a rupee or two a month with food and clothes. Of the balance less than 4 per cent. is in the hands of occupancy-tenants, and 28 per cent. is cultivated by tenants-at-will, or at least by tenants who have not yet been declared occupancy-tenants. Many tenants have been cultivating themselves or by their ancestors since before the revised settlement, and the question of their status has never been raised nor decided. This is probably explained by the fact that ejectments are not common, and that is no doubt the result of the payment of rent in kind. Of the area held by occupancy-tenants five-sixths pays rent in kind and so also ten-elevenths of the area held by tenants-at-will. A landlord cannot as a rule get much more rent by ejecting his tenant. Custom current in the village decides the share of the produce he will get, and he will not get more from a new tenant, who may not be a better cultivator than his predecessor. Rent is paid in cash only by 3 per cent. of the whole cultivated area, and this proportion was too small to assist in forming an estimate for the revenue rates, even if these cash rents had been true rents which most of them are not. The great proprietary classes are the Rájpúts, Brahmins, Ráthís, Thakkars and Girths. Many of the Rájpúts and Brahmins think it is inconsistent with their caste to handle a plough, but this prejudice, though very common, is not universal, and it is gradually dying out. The Ráthís, Thakkars and Girths are good cultivators, and are often assisted, at least among the Girths, by their women.

The principal crops grown are rice, maize and wheat.

The statement given below shows that almost 70 per cent. of the area cropped is under these three cereals—

*Percentage of crops from Kharif 1891 to Rabi 1896—five years.*

TAHSIL.	Cultivated area of 1895-96.	KHARIF.							RABI.							Total of both harvests.
		Rice.	Maize.	Másh, Mung and other pulses.	Til.	Tea.	Others.	Total.	Wheat.	Barley.	Gram.	Linseed.	Others.	Total.		
Kángra	65,641	48.24	18.72	3.10	0.42	1.87	4.96	77.42	36.42	10.91	1.40	6.73	3.18	58.05	130.37	
Núrpur	100,791	12.84	13.55	4.32	1.97	...	8.03	40.71	18.81	12.25	1.60	0.35	2.07	35.20	75.01	
Dehra	106,063	10.45	22.10	4.58	1.10	...	7.73	45.98	22.85	13.95	4.41	0.50	2.08	43.01	80.89	
Hamírpur	151,591	12.89	27.22	3.89	0.51	...	17.65	62.18	21.47	9.61	7.60	0.01	2.52	35.30	97.18	
Pálampur	70,620	17.11	18.20	3.73	0.27	9.90	10.52	89.73	31.72	4.24	0.71	6.88	1.91	45.46	135.19	
Total	500,721	22.27	20.80	4.01	0.90	1.79	10.83	60.60	25.63	7.72	3.85	2.10	2.36	41.61	102.26	

In Kángra and Pálampur, the great irrigated tahsils, almost half the cultivated area is put under rice during the year and about a third under wheat, and the percentages show the large area in these tahsils which is twice cropped in the year. Núrpur is seen to be the poorest tahsil, and it is in reality the poorest, but Hamírpur is not so good as this statement would make out. It is not possible that in a tract without irrigation and a large area of *bahand banjar* almost the whole cultivated area is cropped every year.

8. The rent in kind is generally a share of the produce whatever it may be, more or less, but in Kángra and Pálampur tahsils, the rent of a considerable area of irrigated land is paid in a fixed amount of grain of certain kinds, and such rent is known as *rurhu*. It is a relic of old fixed grain assessments which existed in the Sikh times, and

the abolition of which at the first settlement Mr. Lyall was inclined to regret. Mr. O'Brien thought the *rurhu* system of paying rents was unsuited to those tracts in which crops are uncertain ; and as a fact it scarcely exists in irrigated land, but of the irrigated land in the two tahsils mentioned about 7 per cent. pays *rurhu*. The rents paid on this land would have given a very fair idea of what the revenue rate on irrigated land should be, but as far as I can find out this mode of calculating the Government share was not taken up. In cases where rent is paid by actual division or by appraisement of the crop, the shares are almost always one-half, two-fifths or one-third.

The following statement shows the percentage by tahsils :—

TAHSIL.	PERCENTAGE.				Average share of produce taken.	
	Giving			Average share of produce taken.		
	Half.	Two-fifths.	One-third.			
Kângra	... ... ... ...	99.46	.19	.35	.499	
Nûrpur	... ... ... ...	29.06	40.34	30.60	.409	
Dehra	... ... ... ...	77.70	3.38	18.92	.465	
Hamîrpur	... ... ... ...	69.40	17.52	13.08	.461	
Pâlampur	... ... ... ...	98.42	.32	1.26	.498	
Total	...	69.80	15.35	14.85	.462	

In the two rich tahsils of Kângra and Pâlampur, the share is almost invariably a half. Dehra and Hamîrpur are almost equal. In Nûrpur where it is not so easy to get tenants, less than a third gives half the produce ; and, taking all the land together, the share is only two-fifths.

9. There are no public canals, and irrigation from wells is practically unknown. The irrigation is done entirely by private irrigation. canals, known as *kuhls*, supplied by the many streams that run from the snows to the Beâs. The plateaus in the valleys lend themselves in an especial manner to irrigation, as they are on different levels, and have generally a gentle slope from the north to the south. The water let on from the *kuhl* at the highest point runs from field to field, often joining another *kuhl* taken out at a lower point on the same stream, and thus it is fully utilized. These canals often run for many miles, and the rights of the various villages on their banks are complicated and are the source of constant disputes in dry years. The management is yearly becoming more difficult. In former times the *Kohlîs* or distributors of water were appointed by the Râjâs, and got certain dues. Now they are appointed by the right-holders, and there is not unfrequently difficulty in getting them to agree. The Revenue authorities are not supposed to have any power of interference, but the people still come to them, and it is necessary to tender advice to the different parties, if not to pass orders. The *Kohlîs* have many opportunities of making money by allowing a side channel to run too long and so on, and the post is often in great demand. On the other hand, since the *lambardârs* have no power to turn out the *begâris* as in past years, there are constant complaints made of failure to repair. With all these difficulties these *kuhls* are a remarkable instance of self-government, and it is wonderful how well they are managed when we consider the many conflicting interests involved. The great irrigated tracts lie in the Kângra and Pâlampur tahsils in the valley between the main range and the broken sea of hills towards the Beas. There is comparatively little irrigation in Nûrpur tahsil, except on the banks of the

Chaunch and Chakki streams and on the Beás; and none of this is quite secure. The Haldún of Haripur Guler is watered by channels from the Guj, but otherwise there is very little irrigation in Dehra. In Hamírpur tahsíl there is practically none, for it lies on the south of the Beás and most of the streams run only in the rains. Any irrigation there is lies on small patches on the edges of *khads* and is of poor quality, and is always precarious.

*Percentages of irrigated and unirrigated cultivation.*

	Kángra.	Pálampur.	Hamírpur.	Dehra.	Núrpur.	Total.
Unirrigated ... ...	47.9	50.3	97.9	83.7	87.6	79
Irrigated ... ...	52.1	49.7	2.1	16.3	12.4	21

This statement shows at a glance the enormous difference between Kángra and Pálampur on the one hand, and the other three tahsíls. Each tahsíl has *talukás* that are just as badly irrigated as Hamírpur; but even Dehra has the Haldún and Núrpur has the Beás, while the irrigation from the Sir *khad* in Hamírpur is so small as to be quite lost in proportion to the *báráni* area.

10. Kángra Proper is a tract of small holdings. Mr. Lyall at the revised settlement calculated that  $6\frac{3}{4}$  acres of arable land owned jointly by two brothers or cousins was the ordinary type of a proprietary holding and 3 acres cultivated jointly by two brothers of a tenancy. In Kángra the average was 2 acres for a single proprietor and 1 acre for a single tenant. He considered that subdivision had reached its lowest point; and he noted that even then they could not all live on the land and that many had to leave their homes for service. But the process of partition has been going on rapidly since the revised settlement, and the statistics show that the area per holding is now a good deal less than it was.

TAHSIL.	Average cultivated area.			Average revenue per holding.
	Per holding.	Per owner.	Per house of five persons.	
Kángra ... ... ... ... ...	1.7	1.3	2.6	4.5
Pálampur ... ... ... ... ...	2.2	1.7	3.1	4.8
Hamírpur ... ... ... ... ...	4.7	2.9	6.0	4.0
Dehra ... ... ... ... ...	2.9	1.8	4.2	4.8
Núrpur ... ... ... ... ...	4.1	3.1	4.9	5.1
Total ... ...	2.8	2.6	3.9	4.6

The figures for the average area per holding and per owner are prepared by *tilkis* and not by *mauzás* and they are therefore somewhat misleading, as not only does the same owner frequently have shares in several holdings in the same *tika*, but he may also have land in other *tilkis* or the same village. The smallness of the holdings may thus be to some extent exaggerated. I have therefore given the area for each family on the understanding that it consisted of five persons. Such a family has in Kángra about  $2\frac{1}{2}$  acres and in Hamírpur as much as 6 acres, and over the whole 4 acres. There is almost four-fifths of an acre to each head of the population. As was to be expected under the circumstances the land is mostly cultivated by the proprietors, but for the prejudices of many Brahmins and Rájpúts against ploughing the area of *khud-kshet* would be considerably higher.

11. In regard to the alienation of land I quote the following paragraphs from a report submitted by me since the transfers of land. settlement :—

“ Before annexation the landholder was rather a crown tenant than a landlord ; he called his right a *wirsī* not a *mâlikî* or lordship, and he invariably derived his title from a *patta* or grant of the Râja. Mr. Lyall in latter days described this right as a ‘ sub-proprietary right of a limited nature ’ while the Râja held a ‘ superior proprietary status of a very strong character.’ Sales were unknown, but simple mortgages were not uncommon (see paragraphs 125—128 of Barnes’ Settlement Report and paragraph 57 of Lyall’s Settlement Report). Under the revenue system prevailing before our rule, alienations must have been very few, and any alienation of a permanent nature was manifestly subject to the Râja’s veto. The right of alienation was introduced with our revenue settlement, not apparently in a deliberate manner, but rather as a mere incident of the settlement and because the zamindârs in the North-Western Provinces had been allowed a right of property and of alienation.

“ In the twenty years between the settlement of Mr. Barnes and that of Mr. Lyall, the people, especially in the backward parts, had scarcely begun to realize the powers of alienation that had been conferred upon them. Alienations were in consequence few. In the greater part of the district mortgages were still very uncommon, even at Mr. Lyall’s settlement. In Dehra and Hamîrpur tahsils, in Nûrpur tahsil (except talukâs Indaura and Khairân) and in Pálampur tahsil (except taluka Pálam), they were almost unknown. The talukâs Indaura and Khairân which border on the plains are not in the same category as other talukâs (see paragraphs 102 and 133 of Barnes’ Settlement Report). In the Kângra tahsil which is richer than the others and in which most of the educated and money-lending classes reside, mortgages had, in 1866-70, reached almost 5 per cent. of the cultivated area and over 6 per cent. of the revenue. The Pálam taluka of the Pálampur tahsil resembles the Kângra tahsil. Now 13·62 per cent. of the whole cultivated area of Kângra Proper is under mortgage as compared with 1·7 per cent. in 1870.

“ To show the difference between the two periods, I give the tahsil percentages below :—

TAHSIL.	MORTGAGES OF CULTIVATED LAND IN 1870.			MORTGAGES OF CULTIVATED LAND IN 1890.		
	Area.	Revenue.	Area.	Area.	Revenue.	
Kângra	... ... ... ... ...	4·6	Rs. 6·44	14·1	Rs. 15·55	
Nûrpur	... ... ... ... ...	2·3	3·40	18·77	20·44	
Dehra*	... ... ... ... ...	0·29	0·38	13·58	13·64	
Hamîrpur*	... ... ... ... ...	0·37	0·64	10·39	12·48	
Pálampur	... ... ... ... ...	2·49	3·78	11·31	12·27	
	Total ...	1·73	3·22	13·62	14·82	

\* (Exclusive of the Siba, Guler and Nâdaun jagirs.

“ The contrast is still more marked when we examine separate talukâs. In Nûrpur there are talukâs in which land paying one-fourth, even one-third, of the revenue is mortgaged, and in that tahsil as a whole, land paying one-fifth of the revenue is mortgaged. The percentage of cultivated land mortgaged in the whole Province is only 11·2 and in the worst district (Siâlkot) it is 22·2.\* The only district in the Delhi, Jullundur and Lahore Divisions with a larger percentage than Kângra is Gurdâspur, and when we take into consideration the fact that in Kângra, more than in Gurdâspur, some of the land is situated in high inhospitable localities which the money-lender avoids if possible, it may, I think, be safely said that this district is in a worse state than any in these three Divisions. The evil is still further intensified by the fact that the alienations have mostly been made by Râjpûts and other castes such as Râthîs and Thakkars who look upon themselves as Râjpûts and who are not infrequently accepted in regiments as such.

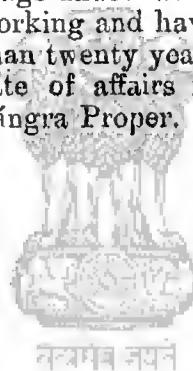
“ In the statistics for this district, it is not safe to trust to the classification of the alienations into those made to ‘ old ’ and those made to ‘ new ’ agriculturists. Many of the so-called ‘ old ’ agriculturists are money-lenders pure and simple. That alienations, both by sale or mortgage, have been made to true agriculturists is admitted. Pensioners and others who have made money in Government service are very anxious to invest their savings in land in their own villages.

" I cannot say accurately how much land has been sold since 1870, but judging from the statistics given in the assessment reports, it cannot be less than 5 per cent. In two assessment circles it amounted to as much as 11 and 13 per cent., and in others it was 5, 6 and 8 per cent. If this is added to the 14 per cent. mortgaged we see that 19 per cent. of the cultivated area of the district has passed practically for ever out of the hands of the original landowners, and judged by the revenue, even a larger proportion. "

In paragraph 113 the subject is further considered in regard to the *jágirs*.

The causes of the alienation of land in this district received special attention from Mr. O'Brien, and the results of his enquiries are of special value. He found that land was not sold or mortgaged to pay the revenue, but time after time he found that the alienation was the direct result of wanton extravagance in buying wives and in funeral ceremonies. The common people do not spend large sums on the actual marriage ceremonies, but custom requires them to pay for their wives, and the price has risen eight or ten-fold during the last forty years. It has been argued that in most cases the money for a wife passes from one agriculturist to another, and that therefore the community as a whole does not suffer. But this was not the view taken by Mr. O'Brien, and there can be no doubt that he was right.

Mr. O'Brien himself did not seem to look with much apprehension at the great alienation of land ; he was satisfied that it was not the result of our assessment and is that his attention was specially directed, but as Mr. Ibbetson pointed out, the condition of things under which a body of peasant proprietors who for the most part are hardworking and have no superfluous land gets rid of one-fifth of its property in less than twenty years can hardly be called a healthy one. I have shown that this state of affairs is not confined to a few *talukás*, but prevails over the whole of Kánpur Proper.



## CHAPTER II.

### PAST REVENUE HISTORY AND ARRANGEMENTS FOR RE-SETTLEMENT.

12. It is unnecessary here to give an account of the constitution of this Revenue under native district; it would considerably lengthen this report and rulers. would be a mere repetition of what has been already so well told by Mr. Barnes and Mr. Lyall in their Settlement Reports. I confine myself to facts bearing directly on the assessment.

The revenue under native rulers was levied in kind, and in the irrigated parts the share due to the State, which was generally half the gross produce, was found to vary so little from year to year that a fixed quantity of grain had been permanently assessed on each field and was known as the *purāna mol*. In the *báráni* parts the Sikhs assessed the demand in cash, calculated upon the value at the current prices of half the gross produce. In all cases there were numerous *lags* or extra cesses, some of which reached, and some did not reach, the State treasury.

13. On the annexation in 1846, a summary settlement for three years Summary of regular was made by Mr. John Lawrence, Commissioner of the settlement. Jullundur Doáb, and Lieutenant Lake, Assistant Commissioner. This was based entirely on the Sikh rent roll, with a reduction of 10 per cent. and the abolition of all cesses except the lambardárs' and patwáris' fees amounting to  $7\frac{1}{2}$  per cent. and a road cess of 1 per cent. In Kánpur where the revenue had been paid in kind it was converted into cash at favourable rates. Mr. Barnes found that in spite of the reduction allowed, the demand fixed on irrigated land was still too high, even after extension of cultivation and immunity from many vexatious imposts. In his regular settlement, he gave no reduction or only a nominal reduction in the irrigated part of the district, but he imposed no increase. He remarked that since the cession of the district the prices of grain had been remarkably high, but that the market was liable to great vicissitudes, and as the assessment was certainly not low he resolved to maintain the totals, but he adjusted and equalized the details. On the unirrigated tracts a reduction of 12 per cent. was necessary in order to put the revenue on a sound basis to enable the people to meet without difficulty the fluctuations inseparable from the cultivation of the soil and to pay punctually and regularly the Government demand. In Núrpur he allowed 15 per cent. as the summary assessment there was higher than elsewhere. The total decrease upon the whole revenue of the district was about 9 per cent. I do not attempt to compare the actual figures of Mr. Barnes' settlement with the present assessment; it has always been doubtful whether *máfis* were included or not, and as some of these were large the comparison would be deceptive. Moreover the limits of the district have changed and the tahsils have been rearranged since 1850.

14. The settlement was announced for twenty years, but was subsequently extended to thirty, to expire in 1879. Mr. Barnes Period of regular settlement. considered it necessary to explain why he took engagements for so long as twenty years. He did not anticipate any extensive reclamation of waste land, which would render a shorter period advisable, and even where there was scope for improvements as in Núrpur, Dehra and Hamírpur, there was not sufficient culturable waste to materially derange the village assessments or to render a revision necessary before the expiration of the twenty years. All culturable spots had been already reclaimed, and nothing was left but the precipitous sides of hills, frequently encumbered with forest and brushwood, which must first be cleared before the plough could be introduced, and at the prices of grain then prevailing, no one would undertake to reclaim such lands. The people were anxious for a twenty years' lease, and even while Mr. Barnes wrote the assurance of such leases had stimulated agricultural enterprise; lands were better

cultivated and made to grow two crops in place of one; new water-cuts were made and crops of a superior quality grown. He anticipated that the additional revenue Government might derive from a shorter period would be more than repaid by the increased resources and prosperity of the people.

15. Mr. Barnes made no attempt to apply a system of classified rates nor Mode of assessment in to ascertain the gross produce and to evolve from it the regular settlement. money proportion due as Government revenue. He did not classify soils and prepare different rates to suit them; but he fixed a general taluka rate for irrigated and unirrigated land, and the assessment of the villages in a taluka were made to revolve as closely as possible round the result of these rates as a common centre. He had before him the old Sikh *jama* and the *jama* of the summary settlement, and the former collections modified by the change of circumstances formed the basis of his assessment. Mr. Lyall wrote that it was in all but a few villages nothing more than the old native assessment very slightly modified, and he considered it on the whole more equal in its incidence than any assessment which could be now-a-days made; the surface of the country is so broken, the productiveness of adjoining lands so immense, that it would never be possible to assess a *mauza* in the lump; but Mr. Barnes had before him the old *jamabandi* papers showing separately the demands and collections for each holding or plot, and the demand for the whole *mauza* was merely the sum total of the demands of the holdings. When he gave a reduction, each holding got its rateable share except in special cases where the reduction was divided unequally by a rough process of arbitration. Thus as Mr. Lyall pointed out the old family holding and field assessment still lived little changed, though disguised, by Mr. Barnes' assessments.

16. As to the heavy or light nature of the settlement, there has always Working of the regular settlement. been a general impression that it was a very light assessment; but Mr. Lyall's idea was that it could not be called light; and that, compared with that of many other districts in the Punjab in 1870, it was heavy. He believed it a complete fallacy to suppose that Mr. Barnes could have safely demanded a higher revenue than he did; the assessment would have broken down in very many places had not the strain been relieved by the rise of prices that began three years after settlement and has been maintained ever since. He pointed out that though the rise in prices had enabled the people to pay their revenue easily, still the land was so subdivided that any increased profit from the greater value of the produce was at once absorbed, and that it would be hardly possible for Government at the next settlement to suddenly recover any considerable share of the value of the increase; and he even went so far as to express a doubt as to the policy of doing away with the old fixed grain assessment.

But whether the assessment was heavy or light it worked very well up to the revised settlement in 1866-69, and also since that time. Indeed, so far as remissions and suspensions of revenue are concerned, the history of this district prior to the recent settlement was almost a blank. The revenue has been paid without difficulty; occasionally small remissions have been required in consequence of damage by hail, but even these were insignificant.

Mr. Lyall suggested that on the expiration of the term of settlement it would probably be sufficient to pick out for re-assessment the villages in which the cultivated area was known to have largely increased or to which new income has accrued, such as the profit of slate quarries, &c.; such would be very few, and on all the rest, if prices continued to rise, a uniform increase of say 20 per cent. might be imposed, leaving any objecting village the alternative of claiming a re-measurement and regular re-assessment. It is to be remembered that when this suggestion was made the local rate which has practically enhanced the Government demand by 10 per cent. had not been imposed.

17. Though Mr. Barnes' assessment worked well, it was very soon discovered that his record of rights was incomplete, and it was revised by Mr. Lyall between 1866 and 1869. His operations were confined to the correction and compilation of the old record and did not extend to re-assessment, though in some cases as

explained in paragraph 187 of his report, they did include a re-distribution of the revenue already assessed. The only regular settlement made by Mr. Lyall was that of the Lambagráo jágír as reported by him in paragraph 201. It was only confirmation of the existing assessment made by Mr. Barnes in a summary proceeding in consequence of the quarrels between the Rája and the landholders ; but a complete record of rights was prepared for this jágír for the first time. The Rájás of Siba, Guler and Nádaun objected to the assessment of their jágírs, and it was not until the settlement just completed that these three tracts came under regular settlement.

18. The settlement expired in 1879, but no steps appear to have been taken towards the new re-assessment, until in 1885 the persistent complaints of the agriculturists of Guler raised the question of a first regular settlement of that jágír, and this brought forward the larger question of a re-settlement of the whole district. In that year Colonel Wace visited Kángra, and having regard to the increase of 24 per cent. in the cultivated area between 1851 and 1869, with a further extension since, he estimated the total extension at 40 per cent., and anticipated an increased assessment of Rs. 80,000, or roughly 13 per cent. This increase was to be assessed almost entirely on new cultivation, and not to be due (except in exceptional cases) to any enhancement of the general incidence of the settlement of 1851, and Colonel Wace was of opinion that there was no reason why this revenue should not be assessed without further delay, and it was supposed that the new assessment might be carried out without much trouble.

19. With respect to the revision of the records including a re-measurement of the district, Mr. Lyall had in 1872 expressed the opinion that, if his records were supplemented by good annual papers, they would serve as a sufficient basis for assessment and record of rights for many years to come. But Colonel Wace, Financial Commissioner, found that in Kángra Proper the existing maps and records were of varying merit, being excellent in Kángra and Núrpur tahsíls, but not infrequently incorrect where there is much mountainous land. There were further those cases (most numerous in Hamírpur tahsíl) where the chief fault of the record was the extreme degree in which survey numbers had been unnecessarily multiplied. He noted that in some of these cases the maps could be simplified by consolidation of fields, but that in many others the minuteness of the survey had resulted in inaccuracy, and he considered that resurvey with a revision of records was in these cases unavoidable. Even before the question of re-assessment came up, it had been found impossible with the existing staff to work the new Patwári and Kánungo Rules and other revenue reforms introduced in 1885-86, and Mr. C. Rivaz, Deputy Commissioner, was of opinion that the record as it then existed, could not be used effectively unless the patwári staff was almost doubled, and the patwári cess raised to  $6\frac{1}{4}$  per cent. even on the new enhanced revenue. This increase in the staff was necessary on the ground that during the measurements of 1865-68 every small division of a field was recorded as a separate survey number, the result being such an increase in the bulk of the record and in the labour of annual inspections that the existing staff could not possibly get through the work required of them, and field inspections had for many years been neglected. Half of the existing circles had over 10,000 numbers ; in Hamírpur no circle had less than 11,000, 14 out of 29 had over 20,000 and 9 had over 30,000. This was incompatible with honest and efficient work, and the annual records could under these circumstances be of no value whatsoever. As between the two alternatives (i) of placing the record on a proper basis or (ii) of nearly doubling the number and cost of the existing staff for no other reason than the faults and unnecessary bulk of the existing record, the Financial Commissioner chose the first and considered that a revision of the record with a consolidation of survey numbers obviating an increase in the patwári staff was unavoidable in all tahsíls, but that re-survey should be undertaken only in the estates where the Settlement Officer had satisfied himself that it was necessary.

20. Having regard to the exceptional circumstances of the district and the character of the people, it was from the first settlement intended that the settlement should be done by the Deputy Commissioner, and each Tahsíldár was to have charge of his own tahsíl

being relieved as far as possible of judicial work. Difficulties, however, arose in relieving the Tahsildárs of their civil and criminal work, and the Deputy Commissioner considered that with regard to the physical circumstances of the district any attempt to settle the whole district simultaneously would end in failure, and he thought that even with the aid of an Assistant Settlement Officer he could not efficiently supervise more than two tahsils at a time, and he expressed a decided opinion in favour of taking up groups of tahsils at one time. Upon this the Financial Commissioner came to the conclusion that it was necessary to appoint a Settlement Officer and to organize the operations on the usual lines with Superintendents in each tahsil and a full establishment. The Lieutenant-Governor adhered to the original intention, and proposals were submitted and accepted, and the Local Government referred the case in its No. 258, dated 15th November 1886, to the Government of India for sanction. Having regard to the great extension of cultivation since 1851, the Lieutenant-Governor believed that there would be an increase of at least Rs. 75,000 in the whole district, including Kulu, and that as the cost would be  $4\frac{1}{2}$  lakhs, the expenditure would be repaid in six years. It was proposed that the settlement should include a re-assessment and a revision of the record of rights and the preparation of new maps wherever this was deemed necessary. The Deputy Commissioner (Mr. C. Rivaz) was to conduct the operations with the aid of his Revenue Assistant and was to be relieved of current duties by an Assistant Commissioner, and it was explained that this arrangement was not intended solely or even mainly to effect an economy in expenditure, but that the object was to bring matured and ripened judgment to bear upon the assessment of the revenue. The Tahsildárs were also to be relieved of their ordinary work and officiating Tahsildárs appointed in their place. The whole district was to be notified as under settlement with the understanding that measurement work should not be undertaken at any one time in more tahsils than would admit of its efficient supervision.

21. Up to this time it seems that the re-measurement of a large part of

Suggestions of the Government of India and consequent changes in plan of operations.

the district was contemplated and a full establishment was to be provided, involving an annual expenditure of about a lakh a year. The Government of India pointed out that as the expected increment was to be obtained almost entirely from new cultivation and would not necessitate the framing of new soil rates, the re-assessment would be of a simple nature, and it was suggested that with the aid of the traverses laid down by the Survey Department, the charges for survey might be reduced. It was specially proposed that if in some three years the areas of the new cultivation could be furnished by the village agency it would be a comparatively simple operation to impose a moderate assessment thereon which could be made to run for a sufficient period, say ten years, to admit of the record also being prepared by the village officers under the district agency; and the wish was expressed that the settlement staff instead of being employed in Kánpur might be made available for plains districts which were likely to yield a better return. Upon this the subject was reconsidered and came before Sir James Lyall on his return to the Province as Lieutenant-Governor. He pointed out that it was not the case that a very large increase of cultivation had occurred, capable of being separately assessed. This assumption was based upon a comparison of the area as given in the papers prepared in 1851 and the area as shown in the records of the revised settlement of 1869, the latter exhibiting a difference in excess of 24 per cent. for Kánpur Proper. But Sir James Lyall remembered well that this difference in excess caused general alarm at the time to the zamíndárs concerned, who denied that there had been any such large increase and attributed the difference mostly to under-measurement in Mr. Barnes' settlement and partly to over-measurement at the revised settlement by not allowing for unculturable plots in fields (see also paragraph 59 of Mr. Lyall's Report). He had satisfied himself that the real increase in cultivation was very much smaller than the mere comparison of areas indicated, and was not at all large: most of the real new cultivation of the nature of new fields broken up from the waste was (as might be expected in a hilly country fully populated for centuries) of the poorest kind as regards the quality of the soil. A large part of the new cultivation was in the form of petty additions to old fields by adding year by

year a foot or a yard to the fields from the hill sides which surround them, and such additions could not be assessed separately from the field. Sir James Lyall held that the bulk of the increase of revenue to be expected had to come from the old cultivated land, much of which had been greatly improved in class in the quiet times since the first regular settlement, so that it now produced two crops where it formerly produced one, or one annually instead of one every second year. It was this improvement and the difference of prices that would mainly justify the increase in revenue.

22. The plan of operations was now changed and much simplified and reduced. It was proposed that in Guler, Siba and Nádaun Operations restricted to re-assessment except in jágírs where no settlement had yet been made, the jágírs. operations should be of the nature of a first regular settlement ; that in the rest of the district they should be confined to a revision of the assessment ; that the revision should be based on a careful writing up to date of the village papers with a consolidation of survey numbers, and that re-measurements were to be undertaken only when absolutely necessary for assessment purposes. The Deputy Commissioner and the Tahsídárs were to carry out the settlement, but it was proposed to depute an Assistant Commissioner if necessary, when the settlement work was in an advanced stage, to relieve the Deputy Commissioner of his routine duties. Provision was made for an allowance of Rs. 100 per mensem to the Assistant Commissioner of Kulu and Rs. 50 per mensem to the Revenue Assistant, and further for an allowance of Rs. 100 per mensem to the Assistant Commissioner, deputed to assist the Deputy Commissioner and Rs. 50 per mensem to another Revenue Assistant, should he be required. These proposals were approved by the Government of India, and Notifications Nos. 25 and 26, dated 26th January 1888, were issued to the effect that a general re-assessment of the land revenue of the Kángra district was about to be undertaken and that records of rights should be prepared for the estates in the Guler, Siba and Nádaun jágírs. By this time Mr. O'Brien had taken charge of the district as Deputy Commissioner and he carried through the settlement. In the middle of 1889, when he was engaged in the inspection for assessment purposes of the numerous *tikás*, he pointed out that the physical labour was very great and he had difficulty in disposing of the revenue and criminal duties of which he could not divest himself ; and he asked that the District Judge might be invested with powers to hear criminal appeals and dispose of income tax objections, and these powers were granted. This was the only relief given, and it may, therefore, be said that Mr. O'Brien carried out the very arduous settlement operations of this district in addition to the anything but light duties of a Deputy Commissioner.

## CHAPTER III.

### THE ASSESSMENT OF KHALSA ESTATES.

23. The general principles of assessment that guided the Collector were those issued by the Local Government in 1888, sanctioned by the Government of India in 1890 and embodied in paragraph 2 of Punjab Revenue Circular No. 30. But special instructions, suitable to the peculiarities of this district, were issued by the Financial Commissioner and the Local Government, both in regard to the mode of assessment and to the manner in which the assessment operations were to be reported. In paragraph 6 of his Secretary's No. 406, dated 14th May 1887, Colonel Wace wrote :—

“The revision of assessment will be carried out by the Deputy Commissioner by *talukás* or groups of villages resembling each other, the work being commenced as soon as in any such group the village papers have been completed to date. The work will consist chiefly in the framing of half asset rates for each main class of soil locally recognised and then in the testing and consideration of the assessment of each hamlet or *tika* by the aid of these rates, and in the light of local inspection and inquiry. It is not proposed to hurry on the work but to allow the officer abovenamed to spread it over six or seven years. Produce estimates, and assessment by *mauzás* according to the plan followed in plains districts, will not be suitable.”

In submitting the proposals for the re-assessment for the sanction of the Government of India, Mr. Tupper in his No. 90, dated 11th June 1887, supplemented these instructions :—

“The existing assessment of the little hamlets or family holdings, of which the *mauzás* are made up, is generally of great antiquity, and the result of much experience in former times and the process of re-assessment will generally consist of a revision of the assessments of these petty hamlets with the aid of half asset revenue rates for classes of soil, after comparison of former and present areas and much local inspection. The re-assessment will have to be made with much caution and moderation, owing to the difficulty of judging of hill soils and the general poverty of the people, mostly due to the small size of their holdings. Mr. Lyall does not anticipate that it will be advisable to take a greater increase than 10 or 12 per cent. of the whole revenue or, say, from Rs. 60,000 to Rs. 70,000. Besides this there will be an increase of some 2 per cent. in the *patwári* cess. The proposals for re-assessment now made are of a special character . . . . and the arrangements are applicable to the circumstances of an entirely exceptional district.”

24. At a meeting of Sir J. B. Lyall and Colonel Wace in December 1887, the following instructions were given verbally to Mr. O'Brien, who recorded them on the spot and quoted them in the Assessment Report of taluka Rehlu, as having proved most suitable to the circumstances of the district :—

“The assessment is to be made by *talukás*. Half asset rates are to be made in order that we do not go wildly above the Government standard which is half assets. We are not to get out revenue rates by any arithmetical process. The amount of increase that is expected of us is small and can be got by tinkering at the existing *jamás*, where a man can pay 10 he can pay 11. Having got half asset rates, go to the *taluka* and collect the people, announce your views as to their future *jama*, and let them discuss them. If they feel that they are being dealt with justly, they will probably acquiesce in any increase which you propose. Remember that the people are very poor, the holdings are very small.”

The proposals of the Punjab Government, which were accepted by the Government of India, contemplated that the assessment was to be carried out in a simple manner and as rapidly as was consistent with a sufficient inspection of a mountainous tract. No produce estimates or detailed statistical returns were to be prepared. The instructions for the report on the re-assessment were that the Settlement Officer should give—

- (a) a very brief note of the physical features, leading points in the agriculture, tenures and agricultural classes;

- (b) the results of the regular settlement;
- (c) the changes ascertained at the revision in 1871, e.g., increase of cultivation and how treated;
- (d) the changes now ascertained;
- (e) the incidence of the regular settlement
  - (1) when made, and
  - (2) on existing areas;
- the standard rates now assumed and the reasons for assuming them to be fair half asset rates.
- (f) the result of the new assessment.

A form was also prescribed for a *tikawár* assessment sheet.

25. Early in the settlement even a greater departure from the ordinary procedure was allowed as the Settlement Officer was authorized to announce his assessments subject to the ultimate sanction of higher authority. The reasons for this exceptional course explain some of the peculiarities of the settlement, and show how very far it was a personal settlement, based not so much on revenue statistics as on the eyes and ears of the Settlement Officer. Mr. O'Brien pointed out in September 1890 that, though the assessment reports on five *talukás* had been submitted, orders had been received only on one; that the reports were brief and that the most important part was contained in the *tikawár* statements, the assessments were made actually by holdings after personal inspection of each holding (a method approved of in paragraph 1 of the memorandum of matters discussed at Dharmásála by the Lieutenant-Governor, see Appendix II) and involved no general principles. The process was merely taking a small increase here and there wherever it was possible to do so, no reductions being given. The reports were incapable of much criticism, and except the mode of assessing the State quarry at Kauiyára in taluka Rehlu there was no matter in the reports submitted requiring special orders. He noted that the *tikawár* statements would alone be useful to future Deputy Commissioners, and that the reports would by themselves be of little use. He therefore asked that he should be given a freer hand in announcing and distributing the assessment which depended not on general principles but on his personal knowledge of each *tika*. In recommending this proposal for sanction the Financial Commissioner pointed out that it was impossible to criticize the details of the assessment, the rates being derived from the details instead of the details being based on the rates, and that under the peculiar circumstances of the case there was nothing to be lost and much to be gained by allowing the Settlement Officer a freer hand than was usually allowed to assessing officers. The proposal of the Financial Commissioner that Mr. O'Brien should be allowed to announce his assessments, subject to the ultimate sanction of higher authority and to distribute them over the holdings without waiting for orders on the reports, was accepted by the Lieutenant-Governor (No. 207, dated 3rd December 1890). In referring to this procedure before it had been sanctioned, Mr. Ibbetson in his review of the Rehlu Report, while noting that it seriously hampered the exercise of any control over the assessments by superior authority, admitted that it was impossible to criticize the proposals in detail. In the Government orders on the first assessment report, the Lieutenant-Governor (Sir James Lyall) expressed the opinion that the Governor must rely mainly on Mr. O'Brien's knowledge and discretion, as the country was pre-eminently one in which such reliance must necessarily be placed in the conclusions of the local officers owing to the extraordinary diversity of its surface. The assessment could not be tested by the ordinary standards but had to be accepted in reliance on Mr. O'Brien's minute knowledge of the country and the very great care he bestowed on his inspections. The fact that the recent settlement was the personal settlement of Mr. O'Brien appears more and more in each report, and if I may be allowed

to express an opinion as to this part of Mr. O'Brien's work, it is that so far as the *tikawár* assessment is concerned, the revenue announced was eminently fair, both to the Government and to the people.

26. The assessment of each *taluka* was treated separately; indeed in the original orders it was intended that the assessment of each *taluka* should be reported separately, but this was found inconvenient, and on the submission of the first *taluka* report the Settlement Officer was instructed to include a larger area, not less than a *tahsil*, in one assessment report. Though physical features have been the principal causes determining the boundaries of the *talukás*, still these features have not been such as define the assessment circles of the plains. The same *taluka* may extend from the top of the Himalayas almost to the Beás, and may include tracts varying enormously in natural features, in climate and in agriculture, the same *taluka* includes hamlets where wheat is grown as a winter (rabi) crop and hamlets where it is grown as a summer (kharísf) crop. In such a district it would have been impossible to form circles of any size based on "broad existing similarities of fertility, proprietor or tenure." No assessment circles could have been formed for which the revenue rates could have been of much value, and it was therefore decided to accept the existing subdivisions as convenient for the purposes of statistics. As a fact the settlement was made by *tikás* which was taken as the unit of assessment. This was the only possible assessment in a broken mountainous country, such as Kánpur, where the circumstances vary almost from field to field. In the assessment sheet for each *tika* the following information has been given:—

- I.—Total area.
- II.—Area uncultivated, with details of demarcated forest, open waste and hay-fields.
- III.—Area cultivated divided into—
  - (a) irrigated;
  - (b) unirrigated—
    - (1) *dofasli*, bearing two crops a year;
    - (2) *ekfasli*, bearing one crop a year;
    - (3) *bahand banjar*, bearing a crop once in two or three years.

#### IV.—Assessment.

The information is given for the regular settlement, revised settlement and for the time of assessment. The assessment by *taluka* rates and by the half assets estimate are shown, and the Settlement Officer has recorded his reasons for the revenue fixed by him. The mere clerical work of preparing the statistics for the 6,251 *tikás* was very great, but it was as nothing compared with the physical labour of reaching each *tika* and making a sufficient inspection of its cultivation almost holding by holding.

27. The classification of soils for the purposes of assessment was that given in the *tikawár* assessment sheet as just described: Classification of soils.

"The people recognize these distinctions but they are quite artificial, and except "irrigated" pass easily from one class to another, *ekfasli* becomes *dofasli* by becoming accessible to manure and closer watching of the crop. The *dofasli* land usually lies near houses where more manure is available, and greater watch is made of crops, and the *ekfasli* land usually lies at a distance. The *bahand banjar* land is usually stony; it lies on the tops and sides of hills and produces a crop only of grain, *kulth*, *arhar* or other such inferior grain."

There is no real difference in quality; the productiveness of irrigated land depends almost entirely on the amount of labour bestowed upon it, or if there are any differences in quality, they will be found in fields lying almost contiguous and will be of a nature that practically defy definition and record.

28. It was originally intended that no produce estimates should be prepared, but Mr. O'Brien gradually began to trust more Half assets estimates. and more to them, and he was asked to supply more and more information in regard to the details of these estimates and in the

and the reports supplied for each *taluka* almost all the statistics required for an assessment circle in the plains. Indeed, as will be seen, the *taluka* rates which were intended to be the principal guides were abandoned entirely, and Mr. O'Brien depended mostly on the half assets estimates which he was not supposed to prepare.

In fixing the average prices of produce it was found that the statistics given in the Gazettes were useless as they were for Dharm-sála, the head-quarters which lies on the main range at a considerable distance from the greater part of the district and where prices are invariably higher than in the valley generally. Mr. O'Brien, therefore, examined the account books of money-lenders and landowners; but while it was beyond doubt the case that prices had risen very considerably since the regular settlement it was often difficult to say what the actual increase had been. In tracts which generally do not grow enough to feed their own population and where there are no large marts it is very difficult to find out with fair accuracy what the real prices of agricultural produce have been at various times. Prices depend on the character of each harvest. If there is a good harvest the zamíndárs have some surplus produce to sell or rather to place to their credit with the money-lenders. The only prices are the sums which the latter give to the zamíndárs for their grain payments, and thus there can be no real price current. The only thing that can be safely said is that prices have greatly risen. The common saying is that when Mr. Barnes made his settlement the all-round price of grain was a maund *pakka* or 40 sérs, and that it is now a maund *kacha* or 16 sérs.

The following figures for Kángra and Pálampur have been taken from shopkeeper's books; and the rates for Pálampur in Mr. Barnes' time are also given:—

		Kángra average price 1850—1862, sérs per rupee.	Kángra average price 1874—1886, sérs per rupee.	Pálampur prices at Mr. Barnes' settlement 1850, sérs per rupee.	Pálampur average prices 1882—1890, sérs per rupee.
Rice	...	32	16	47	20
Maize	...	48	21	60	28
Wheat	...	37	19	51	24
Barley	...	52	28	66	31

The rates actually adopted are given below for certain places in sérs per rupee and compared with the rates used in the recent settlement of Pathánkot tahsíl in Gurdaspur—

		Kángra.	Pálampur.	Núrpur.	Hamírpur.	Nádaun Jagi.	Dehra.	Pathánkot.
Rice (unhusked)	...	22	18 to 40	36	40	40	40	25
Maize	...	36	32	36	40	45	36	28
Wheat	...	26	26	30	30	30	30	26
Barley	...	36	36	42	40	40	41	33

It may be safely said that prices have doubled since the time of Mr. Barnes, and that the prices adopted in forming the half assets estimate erred, if at all, in being too low.

But whatever the rise in prices may have been it has benefited, not the zamindars generally, but only those who own large holdings and have a surplus of produce for sale. "The argument for an increase of assessment derived from the rise in prices loses most of its force where the majority of holdings produce barely enough to feed the owners and their families, so that there is really no surplus for sale upon which to reap the advantage of the rise."

As Mr. O'Brien pointed out, when a holding produces just enough or not enough to feed the family that owns it, it does not affect that family if the produce is selling for its weight in gold; and in the Government orders on the first assessment report it was admitted that a rise in prices was no reason in itself for a proportionate rise in assessment. In some cases, however, it was the only ground on which the Settlement Officer had to depend in raising the *jama*.

29. The materials available for estimating the produce rates per acre were the following:—

- (a) actual experiments were made by the Tahsildars and Naib-Tahsildars in various talukas, but much faith was not put in the results as the fields selected generally bore a crop above the average;
- (b) the account books of money-lenders who have given land on half produce to tenants or mortgagees were examined. The results in these cases could be trusted, as it is not at this stage that money-lenders cheat the zamindars;
- (c). the zamindars were consulted and averages taken, but in a country such as this the rates vary enormously from taluka to taluka and from *topi* to *topi*, showing what an untrustworthy guide to assessing a half assets *jama* estimate must be in this district.

The table given below shows the rates of produce fixed for certain talukas. They give a fair indication of the extremes within which the yield varies—

*Rates of produce in sers per acre.*

		Kangra.	Piplamer.	Hamirpur.	Nadaun jagir.	Dehra.	Nurpur.
Rice	Irrigated ...	373 to 390	300 to 500	300 to 320	400	400 to 580	435 to 470
	Unirrigated ...	130 to 200	...	140 to 200	300	245 to 276	300 to 335
Maize	Irrigated ...	...	...	...	220	275 to 530	245 to 270
	Unirrigated ...	...	160 to 200	155 to 200	200	250 to 424	240 to 255
Wheat	Irrigated ...	214 to 240	...	...	200	210 to 240	165 to 240
	Unirrigated ...	155 to 169	160 to 210	125 to 170	185	214 to 254	180 to 190
Potato	Irrigated ...	...	...	...	240	220 to 266	190 to 250
	Unirrigated ...	...	160 to 200	144 to 175	220	210 to 283	215 to 220

A most important point to be remembered in examining these rates is that much of the land is *dofasli*. In his first assessment report Mr. O'Brien noted that the outturn of rice on *ekfasli* lands is nearly equal to the outturn of both crops on the *dofasli* irrigated lands, and thus in some cases the rates of yield for one harvest on irrigated land have been fixed lower than for unirrigated land. In regard to wheat and rice he observed that the common saying was that rice produced 10 maunds and wheat 6 maunds per acre (ghumao).

and that this estimate for wheat seemed low compared with the outturn in the plains, but that a wheat field in the Kângra district was very much inferior to any wheat field he had seen in the plains.

30. At first Mr. O'Brien intended to apply the produce rates to the areas used in framing average area cropped since 1883 according to the entries half assets estimates. in the village records, but as there was good reason to believe that the records were not very reliable until settlement operations were commenced, he took as the basis of his calculations the kharif harvests of 1887, 1888 and 1889 and the rabi harvests of 1888 and 1889. In Kângra, Pâlampur and Hamîrpur tahsils these harvests were either good or average; but in Nûrpur two kharifs were bad and in Dehra one kharif was bad and one fair. This may help to explain why it was possible in Nûrpur to assess almost up to the half assets estimate.

31. After framing his estimate of the gross produce, Mr. O'Brien took Government share of 22 per cent. of the produce of irrigated and 20 per cent. gross produce. of the produce of unirrigated land as the Government share. This share was based on the fact that in Kângra and Pâlampur tahsils, which were first assessed, the landowners almost invariably take half the produce and of that Government is entitled to one half or 25 per cent. of the gross produce. He deducted 12 per cent. of the produce of irrigated and 20 per cent. of unirrigated land "on account of the cost of cultivation and gathering the produce," and one-fourth of the balance he considered to be the Government share. On this Sir James Lyall pointed out that such deductions were not strictly allowable, as the cost of cultivation was borne by the tenant, but one-quarter of the gross produce would be an exceedingly high standard of assessment, however much it might be justified by facts as to rent rates, and, moreover, it could not be worked up to in raising the demand, particularly in a country of very small holdings and poor proprietors either cultivating themselves or subsisting on small incomes from tenants' rents. The deductions were, therefore, accepted even as originally described; but it was afterwards explained that these deductions were made not on account of the cost of cultivation, but of allowances to menials which were given from the gross produce before its division and which diminished the landowner's share as well as the tenant's. On the Pâlampur side, for instance, the *bharaun* or weighman gets one *chihâû* per *topa*, or half per cent.; the *rur-pâir* or divider gets a *timb*, or about 3 sârs; the *haiski*, who watches the grain until divided, gets one *timbi* per day; the blacksmith, the carpenter and the *kohli* or waterman get from 4 to 8 *timbis* per *ghunnâo*: and besides these there are other small customary deductions. It is very doubtful, however, whether altogether they reach so much as 12 and 20 per cent. Moreover the custom of giving such allowances is falling into disuse and, on the other hand, in most cases where the landlord takes half produce he gets in addition a *mâlikâna* due known as *karda* or *parkhotra*. This due varies considerably, being in Pâlampur as much as 8 or 10 *timbis* per *topa* of the cultivator's share, that is, the landlord gets 58 or 60 per cent. of the whole produce, and in Kângra as much as 5 or 7 *timbis* per *topa*, that is, the landlord gets 55 or 57 per cent. This, however, is only in places where the soil is good and irrigation assured, and where in consequence there is competition for the land. In other places where the landlord gets only one-third or two-fifths of the produce, he generally gets no *mâlikâna*.

In paragraph 8 the average share of the gross produce taken by landowners is worked out for each tahsil, all extra demands and all deductions being neglected. For Kângra and Pâlampur the Government share would be very little under 25 per cent., in Dehra and Hamîrpur about 23 per cent., and in Nûrpur 20 per cent. The percentage actually taken varied slightly from tahsil to tahsil, but it was never below 20 nor over 22-25 per cent. In Kângra and Pâlampur the share might, perhaps, have been a little higher, and somewhat less in Nûrpur.

32. In the instructions issued by the Financial Commissioner it was laid down that standard rates were to be prepared as Revenue or taluka rates. guides, and these rates were to be fair half asset rates, and the demands of each *tika* and of each *mauza* and *taluka* were to be worked out

at these standard *taluka* rates. This was done, but it is not at all clear how these *taluka* rates were arrived at, and I am not sure that they, in all cases, mean the same thing. In the verbal instructions referred to in paragraph 24 it was laid down that revenue rates were not to be worked out by any arithmetical process, but it is not said how they were to be got at. The *taluka* rates in the first assessment report submitted (*viz.*, that of the Pálam taluka of Kánpur) when applied to the areas give merely the proposed demand. Sir James Lyall remarked of them that they rested on no safe basis other than the half assets estimate, which they were much below; they were fair *inter se*, that is, for one class of land as compared with another class, and they were useful instruments for comparing the assessment of one *tika* or village with that of another and for seeing when increases could be taken, but that was all. In the other *talukás* of Kánpur, a somewhat different course was followed. Mr. O'Brien made an estimate of what he thought the *taluka* could bear, based on considerable knowledge of each village, and from this he deduced standard rates adapted to the form of report prescribed by the Financial Commissioner. Mr. Ibbetson in reviewing the assessment reports pointed out that as the *taluka* or revenue rates were derived from the standard assessment and not *vice versa*, it was useless to attempt to discuss them, the differences in these rates were no doubt justified by local peculiarities within Mr. O'Brien's knowledge; in an assessment made in practice by holdings such rates could be nothing more than danger signals which mark the necessity for careful consideration, and the assessment sheets showed that it was in this light that Mr. O'Brien regarded them. In the Pálam taluka of the Pálampur tahsíl a third course was taken. Average produce rates and average prices were applied to an area of an acre or two, and after making certain allowances the value of the Government share (22 per cent. of the whole) was thus deduced and this was taken as the *taluka* or revenue rate. Rates were thus worked out for the different classes of soil. In Núrpur, Dehra and Hamírpur tahsíls *taluka* rates were fixed, but as far as can be ascertained they were not based on any defined principle, but probably they were based on the old demand. The matter was not discussed in any of the reports. Mr. Mackworth Young remarked in regard to the Dehra tahsíl that "for guidance in assessing rates have been framed for each variety of soil in each *taluka*, but it is not clear how these have been arrived at, and in his actual assessments Mr. O'Brien appears to have been guided mainly by a consideration of the degree to which his half asset estimate could be approached in each *tika*." So in Hamírpur the Financial Commissioner noted that the assessments seemed to have been framed with little regard to the results brought out by the *taluka* rates, and again in the Government Review of the Dehra Assessment Report it was admitted that the point of how these rates were arrived at and the use made of them was of less importance than might at first sight be supposed, as Mr. O'Brien deviated very widely from them whenever he saw reason to do so.

The *taluka* rates and their results are given in the *tika* assessment sheets, and it was evidently intended at the commencement of the settlement that considerable importance should be attached to them. But the manner in which Mr. O'Brien treated the subject shows that he did not find it possible to frame fair *taluka* rates, or at least he did not find it possible to make much profitable use of them. In his last assessment reports he did not refer to the subject. It seems to me that in the end he found he could make much more use of the *tikawár* half asset estimates than of the *taluka* rates, and he was much more guided by the former than by the latter.

33. In the Assessment Report of Hamírpur tahsíl which was the last actual procedure in to be assessed and in the assessment of which Mr. O'Brien had all the experience acquired in the other tahsíls, he thus described the method he adopted—

"When entering a village I knew that I could not assess nearly up to the amount the rise in prices indicated; almost every village contained a few large holdings and a number of very small holdings. The *jamabandi* revealed the number of large and the number of small holdings. The large holdings unless the number of shareholders in each was very great must have profited by the rise in prices; I therefore visited each large holding, while doing so the general condition of the small holdings became apparent. I assessed the large holdings separately nearly always raising the previous *jama*. Then if the small holdings were strong and not over-assessed I raised their

revenue from 5 to 20 per cent. Then a small area admittedly broken up or changed from *ekfasli* to *dofasli* or from *báráni* to *nahri* since the regular settlement gave me a few rupees more to make up my assessment. I might have, I now see, spent a little more time in each village, and not only assessed the village but distributed the *jama* over the holdings and settled every dispute as to the new assessment on the spot. This method of assessment is the only one possible where the assessable value differs so greatly in every hamlet and even in every holding."

34. The measurements in the first regular settlement were unreliable, <sup>Increase in cultivation as bases of enhancement.</sup> and the cultivated area was everywhere understated. The figures of the revised settlement are more trustworthy, but here also we are baffled in making a comparison with the present areas as the definition of cultivated land adopted in 1868 is different from that now accepted, and at that time *ber bannas* or narrow strips of waste between fields were included while they are now excluded.

In cases where any large increase was shown over the area in 1851, Mr. O'Brien made special enquiries, and he came to the conclusion that the increase was apparent, not real. Mr. Barnes himself noted that whatever land was capable of cultivation had been broken when he made his settlement. The physical features of the land, e.g., small plateaus between ravines, small terraces and small strips of level land near torrents corroborated the statements of the people that the land had been occupied and was under cultivation at the regular settlement. It was not to be expected that in such a district an accurate survey could be made by the rough methods followed almost half a century ago. The result arrived at by enquiry as to what land was cultivated at the first settlement was in other cases confirmed by a process of working back from existing figures by ascertaining the amount of new cultivation since that settlement. It was impossible therefore to use the increase in cultivation as a safe basis upon which to found an enhancement of the demand. This was the conclusion arrived at during the settlement, and it was certainly the safest conclusion so long as there was to be no remeasurement. In some places there has been no increase in cultivation since the regular settlement any increase was from the nature of the country impossible. On the other hand, as I have stated elsewhere, there has been a gradual but constant increase in the *tkás* having a considerable area of waste. This increase is shown nowhere in our records, and it could not, as things were, have been taken into consideration in the *báchh*, as in almost all cases the holdings show the same area as at the revised settlement. The number of cases not of gradual encroachment (for they do not come to light) but of deliberate enclosure and breaking up of waste land that have come before me since the assessment leaves no doubt on my mind that there has been a substantial increase in cultivation since the regular settlement. It could have been only land of inferior quality, but the pressure of population and the rise in prices must have led to the cultivation of land which 50 years ago it would not have paid to cultivate.

35. From the first Mr. O'Brien made a rule for himself in the assessment that reduction should not be given. The existing assessment was uneven, but the people had paid for 40 years without difficulty the revenue assessed when prices were half of what they now are, and though they had not got the full benefit of the rise in prices, still there was no reason for reducing the assessment. The settlement consisted of a levelling up of assessment rather than of a general re-assessment. This course was approved by Sir James Lyall in his orders on the first assessment report.

36. Mr. O'Brien made very full enquiries into the causes of the indebtedness of the agricultural population and the consequent alienation of land. He recorded that the mere fact that land had been mortgaged or sold was no evidence that the existing revenue pressed heavily; he examined the origin of many debts that had led to the mortgage of land and found that in many cases the original debt had been incurred in buying a wife. But even if a landowner had alienated his land, that was no reason for reducing the revenue to be paid by the moneyed man who has now got the land. He did not buy the land or advance money on it in order to lose by it but to make a profit. Moreover in

a country of small holdings the fact that the people were poor and in difficulties was not in itself any reason for reducing the revenue which had been paid for so many years.

37. One of the principal causes that prevented Mr. O'Brien from assessing more nearly up to his half asset estimates was the smallness of the holdings. He repeatedly pointed out that in the more populous parts they were so small that produce was not sufficient for the consumption of the owners who have to take service or otherwise work for a living. In many cases where the holdings are somewhat larger the owners do not cultivate themselves in consequence of caste prejudice, and the profits of cultivation go to others, or at best the owners have to pay labourers for doing what other castes would have done for themselves. In the instructions issued for the guidance of the Settlement Officer, Sir James Lyall specially referred to the smallness of the holdings as a reason for moderation in the assessment, and the density of the population and the small size of the holdings were given every consideration. Mr. O'Brien wrote in one place that a good outturn of a small holding of irrigated land was 10 maunds of rice and 6 maunds of wheat, and when he came across many such holdings, or holdings producing even twice as much a year, it seemed very hard to increase the revenue paid by such a holding, for it was clear there could not be much over to pay the revenue with after feeding a family of five persons. It was pointed out by the Financial Commissioner (Mr. C. Rivaz) in his Review of the Hamírpur Assessment Report, from whence as from the district generally many persons go in search of service, that these absentees should not be included in the effective population in considering what the produce of the land has to support for, presumably, they maintain themselves by their earnings when on service. To the extent also that these absentees are proprietors of land, the arguments based on smallness of holdings must be discounted. It is impossible to form any estimate of the relief granted in this way to the pressure of the population on the land, but it is certainly not small. It was fully considered by Mr. O'Brien who thus wrote in one of his earlier reports—

"The people are in a much better position to pay land-revenue than they were when the first assessment was made. At that time there were few or no pensioners, now over a lakh of rupees is paid every year in military pensions alone. A great number of the inhabitants of the district go out for service, and it is hardly an exaggeration to say that there is not a corps from the Burma Police to the Bombay Sappers and Miners which does not recruit in this district."

38. It is remarkable that in this settlement there is nothing that can be easily shown in figures to justify the increase in the revenue at least so far as Kánpur Proper is concerned. General considerations justifying enhancement. The increase in cultivation was held not to be real in many cases; the rise in prices was discounted by the smallness of the holdings; improvements in communications have but little bearing on assessment when the tract does not produce enough grain to feed its own population, except, perhaps as a means of equalizing prices and as affording an outlet for the employment of the surplus population. On the other hand, there has been a certain unascertained extension of cultivation, and a very decided improvement in husbandry. It is beyond question that there is now a larger area bearing two crops; and superior kinds of produce are grown on a larger area than 50 years ago. Mr. O'Brien did not dwell on the profits from the waste land, but these in many places are large, and this is notably the case in places where there is little or no irrigation. In the rice valley of Pálampur and Kánpur there is little or no waste left, but on the dry hills of Bargirón, Rámgarh and Changar and in Hamírpur, Dehra and Núrpur generally, there are large areas of scrub jungle suitable for buffaloes and goats, and large numbers of these are kept. There is a considerable business done in *ghi*, and goats are also sold. The dry *talukás* also supply plough cattle for the rice villages where bullocks partly from the hard work to be done, and partly from the poor fodder given have a comparatively short life.

39. In the preceding paragraphs the general principles followed in the assessment, taluka Pálam, assessment have been considered, and I now proceed to Taluká Kánpur. the details for talukás. The Pálam taluka of the Kánpur taluká was the first brought under re-assessment. Part is hilly and poor, but

as a whole it is very rich, well-irrigated with good cultivators, and as its name implies is almost entirely in the valley at the foot of the Himalayas. The holdings are small, cultivation could scarcely have extended. About one-fifth of the cultivated area had been alienated. The half assets estimate came to Rs. 30,520, and Mr. O'Brien proposed Rs. 24,973, being an increase of 6 per cent., or an anna on the rupee. The Financial Commissioner referred to the extraordinary differences in the incidence of the assessment and quoted instances where the proposed *jama* was considerably in excess of the half assets estimate and others where it amounted to only half of that estimate. While thinking that Mr. O'Brien might be right in not giving a reduction in any *tika*, he suggested that the Settlement Officer should, before announcing his *tika* assessments, consider whether some equalization of the rates might not be advisable. He agreed that it would not be safe to take more than 6 per cent. of an increase and thought it might be necessary to forego part even of that. In passing orders on this report, Sir James Lyall remarked that, having regard to the moderate prices used and the share of the gross produce taken as the Government due, the half assets estimates were evidently not full estimates of the value of half the rent of the land, and that where the existing assessment of a *tika* was as high or higher than those estimates, there was no reason to think that such a result alone was any reason for reduction. As a matter of fact the Lieutenant-Governor saw no reason to believe that the existing assessment was in any single *tika* above the true half assets, not at any rate in the fertile and well cultivated parts of Kângra.

"The crops are extraordinarily secure and the produce fetches a high price. The high selling value of the land and the high rent rates obtainable are also against any theory of over-assessment, nor, in a country like this of Kângra, where owners crowd on the land till they would be exceedingly poor even if there was no land-revenue to pay, is the fact that the owners of a *tika* are in difficulties, in itself any reason for suspecting the assessment to be high or for altering it. On the other hand, where the existing assessment of a *tika* is below the half assets estimate, though it may be tolerably certain that in theory there is ground for considerable enhancement, yet in such a country of minute holdings it must constantly be impossible to take more than a small one, unless it is proposed to reduce the people living on the land to great straits or to drive them off the land. It is impossible at the present day in such a country to arrive at any strict equality of assessment between village and village and *tika* and *tika*. Nor do the people aspire to any such strict equality as they are accustomed to their inherited burdens and have adapted themselves to them. To reduce the existing assessment of a *tika* in order to get comparative general equality where reduction is not claimable on the ground of assessment above the half assets standard, is not therefore called for in this country, and reductions of existing assessment should not be made on this ground alone."

But His Honor was not sure that Mr. O'Brien had not been somewhat lenient, and that he might have taken a more general and in some cases higher increase on the more lightly assessed *tikâs* with advantage as regards the revenue and equalization of assessment and without injury to the people concerned, who are not much affected in reality by slight additions to the demand. Sir James Lyall, however, felt that Government must rely mainly on Mr. O'Brien's knowledge and discretion as the country is pre-eminently one in which such reliance must necessarily be placed in the conclusions of the local officers owing to the extraordinary diversity of its surface, and he therefore left it to him to decide if the proposed assessments in the Pâlam taluka should be somewhat revised in the light of these remarks.

Mr. O'Brien reconsidered the assessment of the *taluka*; but, having regard to the smallness of many of the holdings, he did not think that a re-examination of the *tikâs*, which had been done exhaustively and with great labour, would lead to any other result than that at which he had already arrived. The assessment therefore remained as at first proposed.

40. Separate assessment reports were submitted for each of the other Talukâs Rehlu and four *talukâs* of this tahsîl, but they were reviewed at one time by the Financial Commissioner and one order was passed on them by Government. The Rehlu taluka lies partly in the main range on the west of Dhârmasâla up to the Chamba boundary, but it includes some of the fertile and well-watered villages in the valley. It is densely populated, Girths

are the principal cultivators and landowners. The special feature of the tract is the excellent rice land for which very high rents are paid, in some villages the landowners get about two-thirds of the gross produce. The half assets estimate came to Rs. 64,251 and the revenue proposed was Rs. 53,518. The Kángra taluka is similar to Rehlu and is one of the richest in the district. It is very populous, holdings average only 1.2 acre. The land is owned and cultivated largely by Girths. The half assets *jama* was Rs. 87,023 and the revenue proposed Rs. 72,452.

41. The Rámgarh and Bargiráon talukás differ materially from the Talukás Rámgarh and other three talukás of this tahsíl. They consist of the low Bargiráon. dry hills between the valley and the Beás on the right and left of the Dharmásála-Jullundur road. The tracts are very difficult of access, a riding path is scarcely to be found in Bargiráon. The soil is poor and stony. The area irrigated in Rámgarh is only 131 acres and in Bargiráon 10 acres. The area of *bahand banjar* which was insignificant in the other talukás is here considerable, especially in Bargiráon where it is one-fourth of the whole. In Rámgarh the chief landowners are Rájpúts who do not cultivate with their own hands. In Bargiráon there are also many Rájpúts and Brahmins who object to the plough (but there is fortunately a fair proportion of Girths). In both talukás there was a decrease in population between 1868 and 1881, i.e., it is said, to emigration to more favoured tracts, but between 1881 and 1891 there was an increase in Bargiráon of 7 per cent., while in Rámgarh the population was stationary.

The sales and mortgages are very much as in other tracts, in Rámgarh 15 per cent. and in Bargiráon 19 per cent. has been transferred since 1890. The records show an increase in cultivation of 46 per cent. and 50 per cent. But Mr. O'Brien went fully into the question in Bargiráon comparing the old papers with the cultivation on the ground, and he came to the same conclusion as he had formed elsewhere that the area of cultivation had been understated at the regular settlement. In both these talukás a decrease was shown between the revised settlement and 1890. It is very likely that mistakes in area would occur in a tract where there is so much *bahand banjar* which, though cultivated every second or third year, assumes almost as soon as it becomes fallow the appearance of old waste. In both talukás the average size of the holdings is about twice that of the other talukás, but as the area of *dofasli* land is smaller and that of the poorer land (*bahand banjar*) is very much greater the real advantage is not much. Half produce is the usual rent.

The half assets estimate for Rámgarh came to Rs. 12,128, giving an increase of 22 per cent., but Mr. O'Brien considered that the taluka could not bear more than the old demand of Rs. 9,920. By allowing no reduction in any case and by levelling up the *jamás* of the lightly assessed *tikás*, he fixed Rs. 10,585 for the taluka.

In Bargiráon where only 20 per cent. was taken as the Government share of the gross produce, the half assets estimate was Rs. 14,391, an increase of 34 per cent., which in such a tract could not possibly be taken. The taluka is in all respects the worst in the tahsíl and one of the worst in the district. Mr. O'Brien thought that it might bear an increase of 10 per cent. giving Rs. 11,800, but he actually assessed Rs. 12,308 which was an increase of 15 per cent.

42. The only special question that arose in this tahsíl was in regard to the assessment of slate to the assessment of the slate quarries. In 1884 the Managing Director of the Kángra Valley Slate Company, which already held a lease of the slate quarries in the village of Kaniyára, applied for a perpetual lease of the quarries in Narwána, Dharmásála, Jiya and Gopálpur, and raised the question of the proprietary rights of the Government in such quarries and of their assessment to land-revenue. As I happened at the time to be engaged in the forest settlement of Kángra, the application was sent to me for report, and after much correspondence and conflicting opinions it was finally decided that the Government could not assert any rights of ownership in the quarries of Kaniyára because in the records of this village prepared by Mr. Barnes, it was distinctly provided that the proprietors of the land are the owners of the slate quarries. In regard to quarries in other villages, the records

of which were silent on the subject, it was held that the presumption of Government ownership had been in fact rebutted by the entry made at the revised settlement, that for quarries opened during the currency of the settlement no demand would be made, but that at the new settlement Government would assess them, as it does fields, at a share of the produce. It was decided that this entry would act as an estoppel against any assertion of Government claims. It was further noted that Government had never interfered in any way with the quarries and had even permitted them to be leased and litigated without opposition, and it seemed to Sir Charles Aitchison that it would be distinctly inadvisable to attempt to set up a proprietary title on the part of Government. Thus no rights over the existing slate quarries were claimed, but the Government declared its right to assess them to revenue at the next re-assessment of the district. In further correspondence it was decided that all quarries that are being worked at the re-assessment should be assessed on a share of their produce in the usual way.

The only quarries of importance are those in Kaniyára of which a perpetual lease was given by the village community to the Kánpa Valley Slate Company at a rent of Rs. 2,000, of which Rs. 1,700 was to be divided over the whole village and Rs. 300 was to be given to certain individuals in the village for services to be rendered. Mr. O'Brien took Rs. 850, half of Rs. 1,700, as the Government share. In the same way he took Rs. 63 in Narwána where the quarries were leased at Rs. 125 per annum and Rs. 10 in Dhármsála. The people of Kaniyára presented a petition to the Government against the inclusion in their assessment of the revenue assessed on the slate quarries, their object being that the revenue should be levied from the Company. Mr. O'Brien pointed out that this would not be legal as the Slate Company was the tenant of the zamíndárs, and with it the Settlement Officer had nothing to do. The only point of doubt in this procedure is whether the Government has in the case of the valuable quarries of Kaniyára got all it was entitled to. It no doubt gets half of the profits accruing to the proprietors, but the condition on which the proprietors hold the quarries is that they are liable to assessment in the same way as cultivated land (*see entry in Mr. Lyall's Wájib-ul-árz*). If an owner has given land on a perpetual lease at a low rent the Government is in no way bound to accept half of that rent as its half share of the net produce of the land. So in the case of the perpetual lease of the Kaniyára quarries. In my opinion we would have been justified in making further inquiry into the matter and fixing a revenue that would more nearly be half the profits that the proprietors should be getting. The land concerned might have been declared an estate and the revenue assessed on it separately, and if the proprietors had refused to become liable for the assessment and the Collector could have proceeded under Section 55 and Chapter VI of the Land Revenue Act, the settlement might have been made with the Company, and for various reasons I think this course would have been preferable, but even if it is nothing can be done until next assessment.

43. The result of the assessment for the whole tahsíl was as below—

1	2	3	4	5	6
T A L U K A .					
	Rs.	Rs.	Rs.	Rs.	
Pálam	23,486	24,973	30,520	24,973	6.33
Rehlu	49,301	52,393	64,251	53,518	8.55
Kánpa	66,690	71,359	87,023	72,452	8.63
Rámgarh	9,920	9,920	12,128	10,585	6.7
Bárgiráon	10,704	11,800	14,391	12,308	14.98
Total	1,60,101	1,70,445	2,08,313	1,73,836	8.57

The assessment in this *tahsíl* is considered very light by the people ; and there is no doubt that in the three rich level irrigated *talukás* of Pálam, Rehlu and Kángra it might have been considerably higher.

44. The *tahsíl* next assessed was Pálampur with its three *talukás*, Pálam, Bangahál and Rájgíri, and separate reports were submitted for each. For purposes of assessment the Pálam taluka was subdivided into three parts—(a) Kandhi on the main range exposed to hail and snow, inhabited mostly by Gaddíes who depend more on their flocks than on their fields ; (b) Pálam Khás, the rich, fertile and populous valley, containing most of the land under tea ; (c) Changar, low broken hills adjoining and resembling Bargiráon in Kángra, and the Changar Balihár taluka of Dehra. It is dependent on rain, but produces very good crops if the rain is seasonable. Population has increased ; holdings average 3 acres. The area alienated is large, being 11 per cent. sold and 11 per cent. mortgaged, for the temptation of big prices held out in former years when tea was prospering could not be resisted. In Pálam Khás an area of 3,435 acres was sold for Rs. 3,68,419, or at Rs. 108 per acre, and 2,842 acres were mortgaged at Rs. 65 per acre. Brahmins own more than a fourth of the cultivated land, most of them are prejudiced against ploughing, and so are many of the Rájpúts. Europeans hold almost a tenth of the whole. There was an increase in cultivation of 13 per cent., mostly in consequence of the waste taken up for tea. In this *taluka* special rates were worked out as explained in paragraph 32, and perhaps the *jama* given by these rates is of more value here than elsewhere. In the form given in paragraph 48 the various estimates are compared. The procedure followed was the same as in Kángra. The result is an increase of 25 per cent., an enhancement much greater than in Kángra, and the *jamás* announced approximate more nearly to the half assets estimate. In this *tahsíl* there could be no doubt of the extension of cultivation and a general improvement in the condition of the people. Mr. O'Brien was satisfied that the new demand could be paid without difficulty, and this has been fully proved by the experience of the last five years.

45. The taluka Bangahál lies on the north-east of the *tahsíl*, and extends far back to the borders of Láhul and Kulu. It was divided Taluka Bangahál. for assessment into two parts—(a) Kandhi villages on the outer skirts of the range similar to the Kandhi villages of Pálam taluka and locally known as *Bir*, and (b) the Gadheran or Chotta Bara Bangahál, a poor, inhospitable country, but providing excellent grazing for the Gaddi sheep. Chotta Bangahál lies to the south of the outer Himalaya in the basin of the Beás, while Bara Bangahál lies to the north and drains into the Rávi. The tract does not produce sufficient food for its small population. The rabi crops of the plains are here grown in the kharíf season. Population has slightly increased in both parts since 1881, but it is impossible to get at accurate figures, as in winter most of the working part of the population leave the villages. On paper there is an increase of 17 per cent. in cultivation, but, except in *Bir* where there is a considerable area under tea, it is not likely that there has been much real extension. As was to be expected the holdings are larger than in Pálam being as much as  $4\frac{1}{2}$  acres on an average in Gadheran. The area sold was 13 per cent. and mortgaged 6 per cent., so that even in this almost inaccessible tract the average of the district is maintained. A great part of the land sold was put under tea by Europeans. The statement in paragraph 48 shows the different estimates. The demand was raised from Rs. 7,056 to Rs. 8,161, a very small increase being taken in the Gadheran. Sir James Lyall remarked in regard to this tract that the revenue was paid not from the produce of the fields but from sheep farming and the produce of the forests. Everyone was agreed that the proposed increase was as large as it was advisable to take.

46. The Rájgíri taluka occupies the southern part of the *tahsíl* and extends to the Beás. The upper villages are irrigated and Rájgíri taluka. resemble the villages in Pálam Khás and grow tea and rice of the finest quality, but the supply of water is not always sufficient. The rest of the *taluka*, except a narrow strip on the Beás, is a mass of precipitous hills with deep ravines. The cultivation is in scattered patches, the soil is often

poor and does not bear a harvest every year. Of the 28 villages 12 are wholly and 4 are in part of *jágir* of the Rája of Lambagráo. The *taluka* was assessed as a whole, but in Chapter IV the points bearing specially on the *jágir* are separately considered along with the other *jágirs*. There has been a considerable increase in population, and also in cultivation on paper, but Mr. O'Brien after a special enquiry found that instead of an increase of 4,000 acres upon 30,000 acres it was just half that amount. Holdings average  $2\frac{1}{2}$  acres. Brahmins and Rájpúts own more than half, Ráthís a fourth, and Girths only 8 per cent. of the cultivation. One-fourth of the land belongs to owners who do not plough. The sales amount to 4 and the mortgages to 9 per cent. The half assets estimate came to Rs. 87,233, and the revenue actually announced was Rs. 74,391. Mr. O'Brien wrote that he had never found a half assets *jama* so hard to work, as a guide to assessing, because of the great difference in the lands which are locally known as the same kind of soil. The assessment was done, as elsewhere, by *tikás*, and in the *jágir* *tikás* the fact that the Rája was superior proprietor was taken into consideration and the demand announced was not pure land revenue, it included at least Rs. 3,810 as *talukadári* allowance to the Rája, and the actual revenue is now shown as Rs. 70,581. This is more fully discussed in paragraphs 80—83.

47. The land under tea is mostly in the Pálam taluka where the area is 5,612 acres; the Rájgíri and Bangahal talukás have each about 1,000 acres; and in the Kángra tahsíl the area is 1,364 acres, giving a total area of 8,993 acres. It is convenient to consider in one place the assessment made on tea land without regard to tahsíls.

As the assessment was made on special considerations and as a progressive *jama* was ultimately fixed, the reasons given by Mr. O'Brien are quoted at length:—

"Tea was introduced since the regular settlement. The industry prospered for some years, but since 1878-79 prices have fallen so that now it hardly pays to manufacture tea at all. Tea plantations, on which lakhs of rupees have been spent, are everywhere for sale for a few thousand rupees. There is hardly a plantation that is not for sale, and no buyers are forthcoming. Many are mortgaged up to their full value. The Pálampur Tea Planters, whose gardens are 70 miles distant from a railway station, have been injured by the introduction of tea into Ceylon and Java. The green tea trade with Central Asia has been injured by the heavy duties imposed by Russia and the Amir of Kabul."

Mr. O'Brien found it impossible to make an estimate of the half assets of tea, because it could not be ascertained what the outturn of tea was, and because the cost of manufacture varied enormously, and he wrote that the profits of tea were so small that to assess tea land like the neighbouring land that bears rice in summer and wheat in winter every year at from Rs. 2 to Rs. 5 an acre, would close every tea factory in the district. He therefore fixed Re. 1 an acre for the purpose of completing the half assets estimate on the ground that when tea was being introduced, a sort of promise was given that it should not be assessed at a higher rate. But he proposed the further concession that for the first five years only six annas in the rupee should be collected on land that had been broken up from waste and planted with tea since the regular settlement, the balance of ten annas being remitted year by year, and the matter to be reconsidered at the end of five years, and the whole rupee collected only if prices or other circumstances justified the collection. This concession was not to be made in the case of land that had been assessed at the regular settlement as it was not fair that the Government should suffer because the planters had substituted tea for rice and wheat. The Commissioner, while accepting these proposals, suggested that lands now under tea should be re-assessed at the ordinary rates if other crops should at any time be put down. This was not approved by the Financial Commissioner, but he pointed out that at the lowest computation the value of the gross outturn of tea was Rs. 50 an acre and that the difference between an assessment of six annas and one rupee an acre could be of no appreciable consequence in calculating the cost of manufacture, and he therefore did not recommend that tea land should be assessed at less than one rupee per acre. Sir James Lyall in passing orders

NOTE.—The old correspondence could not be found when this was written, but I find that in the correspondence of 1863 as to the sale of waste land in fee simple for the cultivation of tea, it is stated by the Financial Commissioner (Sir Donald McLeod) that one rupee per acre was the maximum that could be demanded after the close of the current settlement (No. 52, dated 27th January 1863, to the Secretary to Government).

acquiring and in clearing and terracing. Much the greater part of the land cultivated with tea had been reclaimed from waste, and only a small part was formerly cultivated with other crops and assessed with revenue, and the Lieutenant-Governor therefore fixed one rupee an acre as an all-round rate for tea land, but he further directed that when in a tea plantation, as a whole, this rate gave a large increase on the former assessment, half of the increase might be postponed for five years, and that, if in any case it was thought necessary to postpone more than half the increase, the orders of the Financial Commissioner should be taken.

In carrying out these orders it was not found necessary to postpone more than half the increase in any case, and only in four cases, covering land in 20 villages, was it necessary to postpone half the increase. The revenue so postponed amounted only to Rs. 314 (*khâlsa* Rs. 290 and *jâgîr* Rs. 24) and the five years are just expiring and the full increase will be taken from the *kharîs* of 1896.

The orders for the assessment of tea land at one rupee per acre all round were received after the new demand in the Kângra tahsîl had been announced. Mr. O'Brien held that they did not apply to tea lands which produced only the cheaply manufactured green tea, but to those tea gardens where extensive machinery and European supervision were employed, and he did not think that any reduction of assessment should be allowed for tea gardens where green tea alone was made by hand, without machinery, and where the cost of production was much less than for black tea. On appeal to the Commissioner and reference to the Financial Commissioner, the latter held that the Government orders applied to all tea land and directed that where the assessment in the Kângra tahsîl exceeded one rupee an acre it should be reduced. This was accordingly done and revenue was remitted to the extent of Rs. 604.

There has been no improvement in tea since the assessment report was written. Gardens are still in the market and mortgages are common. It is very difficult for the owners of small gardens to make a fair profit on the capital expended. In many cases the owners would do better if the land was under cereal crops, but the expenditure already incurred prevents the change. The larger gardens are doing better as the cost of management is less.

48. The following table gives the result for the whole tahsîl, but in all figures for the Râjgîrî taluka, the Râja's *talukdârî* allowance is included :—

1 Taluka.	2 Current revenue demand.	3 ESTIMATES.		5 Revenue proposed and announced.	6 Increase per cent. on column 2.
		Estimate by taluka rates.	Half assets estimate.		
Kandhi ... ... ...	Rs. 7,230	Rs. 10,390	Rs. 10,591	Rs. 10,040	38.86
Pâlam ... ... ...	60,072	90,574	82,085	75,083	24.98
Changar ... ... ...	7,979	8,777	9,876	9,011	12.93
Total of Taluka ...	75,281	109,741	102,552	94,134	25.04
Râj Bangahal ... ...	5,357	7,361	7,824	6,407	19.6
Gadherân ... ...	1,699	1,795	1,890	1,754	3.23
Total of Taluka Bangahal	7,056	9,156	9,714	8,161	15.66
Khâlsa Râjgîrî ... ...	39,625	...	...	...	...
Lambagrâon ... ...	23,342	...	...	...	...
Total of Taluka Râjgîrî	62,967	...	87,233	74,391	18.14

NOTE.—The figures for the Râjgîrî taluka cannot be compared with the other figures as they include *talukdârî* dues.

It will be noticed that there has been a very substantial increase in the Kándhi Pálam and Bír talukás, where considerable areas of waste have been brought under tea. I have not attempted to separate the *khálsa* from the *jágír* revenue in taluka Rájgíri, as the *talukdári* due of the Rája had not been shown in 58 *tikás*, and a reference has been made to the Financial Commissioner to have the demand redistributed. This will necessarily reduce not merely the total sum shown as land revenue, but also the part of it that is *khálsa*.

49. One assessment report was submitted for the whole Nírpur tahsíl, which has 14 *talukás*. The circumstances of these *talukás* vary greatly, from the low dry stony hills known as *anohi*, "the waterless," to the alluvial deposit near the Beás which is so rich and moist that without irrigation it produces the best rice, sugarcane and turmeric. Each *taluka* was separately considered and disposed of on its own merits, and reference should be made to the assessment reports. The records showed an increase in cultivation of about 11 per cent., while an enquiry holding by holding indicated that there had been an actual decrease of over 6 per cent., but this is a very doubtful conclusion. Mr. O'Brien's own opinion was that the area of cultivation had been almost stationary since the regular settlement. He referred to the great apparent decrease in population between 1868 and 1881, but it is believed that the enumeration of 1888, the first census made in these hills, was not very accurate. Since 1881 the population has been almost stationary, with a tendency to decrease. The tahsíl is not rich, it does not produce enough for its own consumption. There is always considerable delay, if not difficulty in collecting the revenue, and a failure of the rains is felt severely, especially in the central part of the tahsíl. The principal landowners are Thakkars, who are industrious cultivators not troubled with any prejudice against ploughing. The holdings vary from 3 to 5 acres, and the density of the population compared with the cultivation is less than in any other tahsíl; but, on the other hand, the transfers are larger than elsewhere. For the whole tahsíl, the area sold at the time of assessment was only  $2\frac{1}{2}$  per cent. of the cultivation, but  $17\frac{1}{2}$  per cent. was mortgaged. Mr. O'Brien pointed out that here as elsewhere the money-lenders prefer to lend on mortgage to buying land, for he thus gets not merely good security but a slave to cultivate the land who will not run away, a matter of some importance where tenants are scarce as in the up-lands of this tahsíl. These tenants become almost occupancy tenants, with little risk of ejectment, however bad the husbandry; but, on the other hand, they have more sure interest in manuring and other improvements. The areas alienated vary considerably from *taluka* to *taluka*, but they are high in all cases, the lowest percentage being 12 in Fatehpur and the highest 31 in Andaura in 1895. The half assets estimate in this tahsíl was prepared by Munshi Nathu Rám, an exceptionally able Revenue Officer. His produce rates were very fair, but his prices were too low. The share of the produce taken was 22 per cent. on irrigated, and 20 per cent. on unirrigated land. This was a very full share, as most of the land gives as rent only one-third or two-fifths *batái*, instead of a half, as is generally the case in Kángra where the Government share was put at the same figure. The estimate was, however, framed with great moderation; probably the very low prices adopted explain the lowness of the estimate, for the produce rates are comparatively high. Mr. O'Brien was accordingly able to assess nearly up to it, his revenue is 96 per cent. of the estimate. The *taluka* rates gave a result much below the half assets estimate, and the demand announced was well over the *jama* given by these rates.

## 50. The result for the whole tahsīl is given below—

1 Taluka.	2 Current revenue demand.	ESTIMATE.		5 Revenue proposed and announced.	6 Increase per cent. on column 2.
		Estimate by taluka rates.	Half assets estimate.		
		Rs.	Rs.		
Kotla	... ... ...	6,864	7,191	8,282	7,953 15.86
Jagatpur	... ... ...	9,857	10,202	10,785	10,688 8.1
Núrpur (Thara)	... ... ...	13,626	14,005	14,503	14,833 8.85
Mu-bala	... ... ...	8,494	7,663	9,161	9,048 6.52
Mu-zerín	... ... ...	7,569	7,847	8,859	8,580 13.35
Dhár-bhol	... ... ...	6,068	6,320	7,551	6,873 13.26
Chhatar	... ... ...	12,231	12,437	14,769	13,544 10.73
Jowáli	... ... ...	15,919	16,234	17,392	17,092 7.36
Fatehpur	... ... ...	6,249	6,519	6,865	6,886 10.19
Khairián	... ... ...	9,228	9,683	11,137	10,222 10.77
Andaura	... ... ...	19,362	19,742	22,701	21,496 11.02
Nangal	... ... ...	1,859	1,869	2,000	2,002 7.69
Surajpur	... ... ...	3,679	3,778	3,579	3,776 2.63
Lodhwán	... ... ...	2,919	2,996	3,426	3,279 12.33
Total	... ...	123,954	126,486	141,010	136,272 9.93

This increase surprised Mr. O'Brien as it was generally believed that a reduction would be necessary; but he had no doubt that it could be taken, and the people who were prepared for a larger increase were satisfied. The assessment was accepted by Government, though a doubt was suggested that the tract might not be able to bear even this enhancement of 10 per cent.

51. In the Dehra tahsīl, there are 11 talukás, six to the north and five to the south of the Beás, exclusive of the *jágírs* of Guler and Dáda Síba, and one report was submitted for all the eleven, and separate reports for Dáda Síba and Guler. The tract is mostly mountainous, except plateaux near the Beás, and specially the Haldun, which is a rich level well irrigated plain. The poorest part is Changar Balihar on the Káli Dhár, above Jowálamukhi, which resembles and adjoins the Bargiráon taluka of Kángra. The population has been stationary, but Mr. O'Brien noted that a great many go from this tahsīl for service, and there is no lack of tenants as in Núrpur. Rájputs and Brahmins own a half, and mostly cultivate themselves, but they are indifferent husbandmen. The holding averages 3 acres, but in many talukás there are large holdings. Tenants generally give half produce as in Kángra.

The figures for cultivation in this tahsīl are remarkable. At regular settlement the area was 73,090 acres, at the revised settlement 100,060 and at the assessment only 83,629. Mr. O'Brien estimated that about 10,000 acres had been turned into hay-field; and in this tahsīl it is very likely that considerable areas were at the revised settlement shown as cultivation which were *bir banna* or strips of waste between fields, and these have now been shown as waste. But there has undoubtedly been a decrease in cultivation, the cause of which is considered hereafter.

The irrigated area is very unevenly distributed; in Narihána 75 per cent. of the cultivation is irrigated; in Jasaán, Harípur, Changar, Balihar there is practically none, and in some talukás there is sometimes a deficiency of drinking water. About 14 per cent. of the whole is irrigated, but the supply of water is rather uncertain in some places.

Here as in Núrpur taluka rates were framed, but they were not used in the assessment, and even now I am not at all sure how they were arrived at. In the case of waste land they were merely the rates used by the people in

distributing the demand. The rates fixed for irrigated land do not seem to have been worked out on any principle, for in the tract with most secure irrigation, e.g., Narihána and Nagrota, the rate varies from Rs. 2 to Rs. 3, while in Balihar the rate is over Rs. 6 for land irrigated from torrents and springs.

In the Government orders it was pointed out that the new demand amounted to 20 per cent. of the estimated gross produce of the land throughout the tahsíl; and that if the estimate was a full one, the proposed demand might be excessive, and the Lieutenant-Governor directed that the Financial Commissioner should enquire into the matter and communicate the Government sanction only if the half assets estimate framed by Mr. O'Brien was considerably lower than a real half assets estimate. This the Financial Commissioner found to be the case, and the assessment was accordingly sanctioned. It was further noted that the large area of hay-field should not have been excluded from consideration in framing the estimate. I am myself very doubtful whether the cultivation of much land was abandoned merely in order to grow grass for sale to traders; the area of waste land is large and the people would have enclosed and preserved it before giving up their fields, and the quantity of grass grown on steep slopes where grazing is almost impossible is very great. But, as Mr. O'Brien himself noted, the sandstone rock lies very near the surface in some of the *talukás* where there has been a great increase in hay-field and a decrease in cultivation; and one sees the fields being abandoned merely because there is no subsoil moisture, and the intense heat, caused, at least, in part by radiation from the rocks already exposed to the sun, dries up the crop. That this explains to some extent the decrease in cultivation I am certain, for the thin layer of soil is being visibly washed down. Moreover this great demand for grass would have shown itself elsewhere, but it is only in the Dehra tahsíl that it has been assigned as a reason for the decrease of cultivation. If the decrease is really due to the soil being washed away and the rock exposed, it was well that the supposed profits from sale of grass were not taken into consideration in the assessment.

52. The statement below shows the various estimates and the revenue announced:—

TALUKA.	Current revenue demand.	ESTIMATE.		Revenue proposed and announced.	Increase per cent. on column 2.
		Estimate by taluka rates.	Half assets estimate.		
		Rs.	Rs.		
Narihána ... ... ...	14,941	14,977	16,336	15,809	5.8
Nagrota ... ... ...	13,630	13,577	19,519	16,966	24.47
Harípur ... ... ...	5,949	5,948	7,351	6,820	14.64
Kohásau ... ... ...	5,783	6,102	7,171	6,570	13.6
Changar ... ... ...	17,091	17,112	21,851	19,833	16.04
Balihar ... ... ...	18,858	18,857	24,180	22,655	20.13
Chanaur ... ... ...	3,883	4,147	5,264	4,783	23.17
Dhameta ... ... ...	8,789	8,789	11,934	10,852	23.47
Mángarh ... ... ...	14,546	14,556	16,676	16,087	10.59
Jaswan ... ... ...	11,041	12,248	15,022	13,486	22.14
Gungot ... ... ...	4,158	4,696	5,120	4,659	12.04
Total ...	1,18,669	1,21,009	1,50,424	1,38,520	16.72

The increase of almost 17 per cent. in such a tract as this was in my opinion quite as much as could be taken, for there has been an undoubted

decrease in cultivation in certain tracts. If this increase is right in Dehra—and I do not say it is excessive—then a much larger increase was justifiable in the rich Pálam valley of the Kángra and Pálampur tahsils, where the actual increase was only 8 per cent.

53. The last tahsil assessed in this as in Mr. Barnes' settlement was Hamírpur, no doubt because it is the most distant from head-quarters: and while it, perhaps, has gained by the experience acquired in other tahsils, it has lost by the pressure that generally comes when a settlement is being wound up. There are three *khálsa* talukás, Tihra, Mahal Morian and Nadaunta, two *jágir* talukás, Rájgíri, which is in the *jágir* of Lambagraon, and Nadaun, which is mostly the *jágir* of the Rája of Nádaun; and there is besides these the taluka of Kutlehr, the revenue of ~~for tannis~~ of which was assigned to the Rája of Kutlehr and the rest is *khálsa*.



"It will thus be seen that the Settlement Officer has made a very practical use of the half assets estimate, and in the assessment sheets many instances are found in which, notwithstanding an increase, more or less at least on paper, in the cultivated area the Settlement Officer has taken no enhancement of revenue, presumably because by doing so the half assets estimate would be exceeded."

54. The result for the four *khâlsâ talukâs* including the Kutlehr *jâgîr*, is given below.—

1 TALUKA.	2 Current revenue de- mand.	3 ESTIMATES.		5 Revenue proposed and announced.	6 Increase per cent. on column 2.
		Estimate by taluka rates.	Half assets estimate.		
Tihra ... ... ...	Rs. 12,102	Rs. 12,359	Rs. 12,848	Rs. 13,261	9.74
Mahal Morián ... ...	34,699	52,376	50,279	42,593	22.74
Nadaunta ... ... ...	28,901	36,774	38,175	34,415	19.07
Kutlehr ... ... ...	23,517	29,187	30,102	27,798	18.2
Total ...	99,219	1,30,696	1,31,404	1,18,087	19.01

The increase is 19 per cent. Mr. C. Rivaz was of opinion that as the incidence was over one rupee all round per acre of cultivation, it could not be regarded as an unduly lenient assessment for a tract which is for the most part so poor and backward and yet densely populated.

55. Mr. Rivaz, Financial Commissioner, in his Review of the Hamîrpur General result. Assessment Report, thus summed up—

"This completes the re-assessment of the Kângra district. The result has been an increase as regards *khâlsâ* revenue of Rs. 1,02,805 per annum, or 17 per cent. on the former demand, the estimate of such increase in the forecast submitted to Government in 1886 having been Rs. 1,00,000, while the expenditure on this settlement after deducting the share debitible to *jagîrdârs* has amounted to about Rs. 1,10,000\* only as the work has been performed by the ordinary district staff with a very small additional establishment, field and clerical. Settlement operations commenced in 1887. Mr. O'Brien has been in charge of them all the time, in addition to his duties as Deputy Commissioner, and has revised the assessments on the spot, village by village, throughout the five tahsils of Kângra Proper. This work was done in like manner in the Kulu Subdivision by Mr. Diack, Assistant Commissioner. In his various assessment reports Mr. O'Brien has noticed the excellent services rendered by the Extra Assistant Commissioners, Lâla Shib Diâl, Munshi Nathu Rám and Lâla Moti Rám, who have taken part in this settlement. The first of these officers died when employed in Kângra. Munshi Nathu Rám also died shortly after transfer to the Siâlkot Settlement, his health having broken down in Kângra, and Lâla Moti Rám has recently been obliged to take sick leave. The thanks of Government are, in the Financial Commissioner's opinion, due to Mr. O'Brien and his subordinates for the satisfactory manner in which the arduous work of this settlement involving from the nature of the country great physical labour and exposure to trying vicissitudes of climate has been accomplished."

Of the increase of a lakh of rupees, just Rs. 80,000 was in Kângra Proper and the rest in Kulu. The increase was largest in Pálampur, and smallest in Kângra, which is certainly under-assessed.

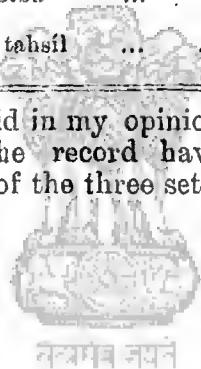
On the day before Mr. O'Brien's death, passing orders on the last assessment report, the Lieutenant-Governor took the opportunity of stating his high appreciation of the devotion to his work and sympathy for the people displayed by Mr. O'Brien; and he also acknowledged the excellent services rendered by his subordinates, the late Lâla Shib Diâl and Munshi Nathu Ram, Extra Assistant Commissioners, and by Lâla Moti Rám, Extra Assistant Commissioner.

\*NOTE.—This was the expenditure up to 1898, and some items were omitted, and the recoveries from *jâgîrs* were over-estimated, see paragraph 137.

56. The new assessments were announced in all cases for 20 years, and I give below the harvests from which in each case the new demand was collected—

Tahsīl .	Taluka.	Harvest from which assessment came into force.
Kángra ... ... ...	Pálam ... ... ... ...	Kharíf 1889.
	Rehle ... ... ... ...	„ 1890.
	Kángra ... ... ... ...	„ 1891.
	Bargiráon ... ... ... ...	„ „
	Rámgarh ... ... ... ...	„ „
Pálampur ... ... ...	Whole tahsīl ... ... ... ...	„ „
Núrpur ... ... ...	Ditto ... ... ... ...	„ „
Dehra ... ... ...	11 khálsa talukás ... ... ... ...	„ „
	Guler jágir ... ... ... ...	„ „
	Dáda Siba ... ... ... ...	„ 1892.
Hamírpur ... ... ...	Whole tahsīl ... ... ... ...	„ „

The next settlement should in my opinion commence with Hamírpur and Dehra. The assessment and the record have both suffered in Hamírpur, because it has come last at each of the three settlements that have been made.



करारमन संघन

## CHAPTER IV

### THE ASSESSMENT OF JAGIR ESTATES.

57. There are six large *jágírs* in the district, Rúpi in Kulu tahsil, <sup>Large jágírs in Kángra.</sup> Lambagráo partly in Pálampur and partly in Hamírpur, Kutlehr and Nádaun entirely in Hamírpur, and Dáda Síba and Guler entirely in Dehra. This report is concerned only with the five *jágírs* in Kángra Proper.

The Rája of Kutlehr originally held a *jágír* of the nominal value of Rs. 10,000 (entered in *sanad* Rs. 10,081) in the Hoshiárpur district. In the course of the revised settlement, it was transferred to this district at the Rája's request, and the revenue of the villages in *tappíss* of Thara, Tihra, Dhinugli and Heru in taluka Kutlehr was assigned to him. As the *jágír* in Hoshiárpur was in a summary settlement made at the time of the transfer valued at Rs. 9,152 and as the revenue of these four villages amounted to Rs. 10,340, the Rája had to pay a *nazarána* of Rs. 1,188 per annum. The revenue has now been assessed at Rs. 11,773, and the Rája continues to pay Rs. 1,188 leaving him clear Rs. 10,585, which includes some small *máfíss* which on resumption will go to the Rája in accordance with the arrangements made at the time of the exchange and subsequently confirmed by Government. As the villages had been regularly settled by Mr. Barnes, and the people had been recorded as full proprietors, the Rája is now only the assignee of the land revenue, though before Mahárája Ranjít Singh conquered this State in 1825, the father of the present Rája was independent. There are thus no questions in this *jágír* as to *talukdári* or superior proprietary rights, and the assessment was made on the same principles as in *khálsá* villages. The *jágír* is situated in the part of the district most distant from Dharmásala, and the Rája is a most useful man to the district authorities. As a *jágírdár*, magistrate and judge, and especially in the management of his own household, he sets an example to the other *jágírdár* Rájás of this district. The Lambagráo *jágír* was regularly settled by Mr. Lyall in 1869, and the settlement just made of this *jágír* was a revised settlement. A summary settlement of Dáda Síba had been made in 1881-82, but of Guler and Nádaun there had never been any settlement at all, and thus these three *jágírs* have now undergone regular settlement for the first time.

58. Complaints had been made in 1884-85 by the Guler agriculturists <sup>Causes leading to the settlement of the jágírs.</sup> of oppression by the Rája, and while the Financial Commissioner (Colonel Davies) expressed his preference for avoiding any immediate detailed investigations pending the revision of settlement of the district, the Lieutenant-Governor pointed out the difficulty of shutting our eyes to the existence of serious disputes, and the necessity of dealing promptly with those disputes in order to avoid the growth of embittered feelings and to secure the continuance of good feeling and mutual respect between the parties, and he wished a summary settlement of the Guler *jágír* to be undertaken at once. He, however, deferred the issue of definite orders until the Financial Commissioner (Colonel Wace) had visited the district. That visit was made in the end of 1885, and recommendations were made for the regular settlement of the *jágírs*, and of the re-settlement of the district generally.

The position taken by the Rája of Guler in regard to the proprietary rights in the soil was thus described by Colonel Wace after an interview with him in which the relation between the Rája and his agriculturists was discussed at some length.

"The Rája made no concealment of the object and extent of his claims. If these claims were accepted, every agriculturist in the Guler *jágír* would be reduced to the position of a tenant and all the rights included in the term 'ownership' would vest solely in the *jágírdár*, nor did he appear to admit that the agriculturists should be classed even as hereditary tenants."

He, Colonel Wace, gave a memorandum of the rents in cash and in kind, which the jágírdár claimed to levy, and he remarked that the objects of the jágírdár fully justified the uneasiness and dissatisfaction expressed by the people. There was no reason for believing that either party would rest satisfied till the questions at issue between them had been finally set at rest, and a summary settlement which had been suggested would not have that result. The relations between the Rájás of Nádaun and Síba and their agriculturists were very much the same as in Guler. In these jágírs and also in Lambagráoñ the question whether *legár* should continue or be abolished as it was supposed to have been abolished in the *khálṣa* villages causing considerable feeling and some decision on the point, was necessary.

The circumstances prevailing at the time of Mr. Barnes and which induced him to allow the jágírdárs to manage their jágírs after the native custom had changed. The agriculturists were now clamouring for a cash settlement; the jágírdárs were claiming a position which in former years they had never held. The Financial Commissioner, while regretting that it should be his lot to set aside arrangements which were originally acceptable to both the jágírdárs and to their villagers, considered that it was the duty of Government to make a final settlement of the rights in the land; so far as the jágírdár's claim to ownership was just, he was entitled to the support of our Courts, but in the absence of a settlement it was extremely difficult to give him that support: on the other hand, so far as the agriculturists were owners, they were (pursuant to a well-established and most necessary rule of Government policy) entitled to a settlement with the same advantages as are enjoyed by villages not assigned in jágír. These reasons were accepted by the Government and the settlement of all the jágírs was approved, including the preparation of records of rights, up to this settlement. There had practically been no patwári agency in any of the jágírs; and no attempt was made to prepare annual records.

59. The instructions given by the Financial Commissioner for operations in the three jágírs that were to be regularly settled for the first time were conveyed in his Secretary's No. 7841, dated 23rd November 1886. They were shortly to the following effect. After lists of *mauzás* and *tikás* had been prepared, a preliminary *jamabandi* of the holdings in each *tiku* was to be drawn up distinguishing between those that claimed to hold land on their own right and those that admitted they held as tenants. The *tiku* boundaries were then to be put up and a *girdáwari* made for the purpose of attesting the field entries of each holding, and of adding the seed measure of each field. The Deputy Superintendent was then to make a final attestation of the *jamabandi*, the statements of persons admitting their position as tenants, and of the Rája's agent admitting the sub-proprietary status of persons claiming to hold in their own rights being recorded. The decision of all disputes as to the status of the holders was reserved to the Deputy Commissioner or to the Extra Assistant Commissioner acting under the Deputy Commissioner's instructions. In such cases no depositions were to be recorded, but the cases were to be heard at or near the *mauzá* concerned in the presence of the parties. Measurements were not to commence until after the Deputy Superintendent had attested the *jamabandi*; and Nádaun was to be undertaken first, as the experience gained there would assist in Guler where it was expected that there would be more disputes. It was specially laid down that the work should be carried out by the Deputy Superintendent without any kánúugo, and that a representative of the jágírdár should be present.

60. The jágír of the Rája of Lambagráoñ lies partly on the north and partly on the south of the Beás. The northern part lies in the Pálampur tāhsíl, and was assessed along with *khálṣa* villages as the Rájgíri taluka. The southern part consists of four *tappás* and constitutes the Rájgíri taluka of Hamírpur tāhsíl. Each part will be considered separately.

The jágír villages in Pálampur were nominally paying just before the assessment a demand of Rs. 23,342, but it was collected in cash, in fixed amounts of grain (known as *rurhu*) and by appraisement of crops, and this sum does not include the sub-jágírs and other items, and in fact gives no correct idea

of the revenue of the whole *jágir*. Mr. O'Brien wrote that the grain demand both when fixed and when appraised had been collected with extreme difficulty. The system of fixed grain payments is unsuited to a country where crops are so uncertain. The payment by appraisement was always open to abuse, and the relations of the *jágirdár* and his people had been very much strained before and during the settlement.

61. As the question of the manner in which the Lambagrón assessment was made has been and is still under discussion, and is even now the subject of a revenue suit, and as the Financial Commissioner has directed that it should be treated at length in the Final Report, I shall give in Mr. O'Brien's own words an account of what he did:—

"I have assessed the *jágir* villages of Lambagraon in cash. His Honor the Lieutenant-Governor ordered that where a grain assessment was changed into cash, the cash should approximate the value of the grain collections.

"This has been done. In estimating the *jágirdár*'s collections I have taken the present price of grain, *viz.*, Rs. 3 per *topa* instead of an average of years. Mr. Lyall in fixing the *jamás* of the Lambagrón *jágir* took the price at Rs. 2 per *topa*. Therefore, though the Rája had no right to profit much by the assessment, for he has assessed all plots as they were brought under cultivation, and because the villages of the Lambagrón *jágir* were more highly assessed than the *khálsa* villages, he will gain considerably. He is satisfied with the arrangements and the people are glad at escaping from an obnoxious mode of revenue payment."

The Rája states that he did accept these arrangements, but it was on the understanding or under the impression that he would receive 15 per cent. *talukdári* dues in addition.

The instructions referred to by Mr. O'Brien are those given in paragraph 5 of the printed memorandum given at page X of the Appendix:—

"(5). The question of conversion of payments in kind into payments in cash in the big *jágirdár*'s villages was also touched upon, and Mr. O'Brien expressed the opinion that the conversion should be carried out as far as possible. His Honor agreed that in most cases conversion to cash would probably be best for both parties, but remarked that customary grain payments could be continued if advisable in estates where the *jágirdár* was also superior proprietor, and that where the *jágirdár* *ála málík* has hitherto been collecting in kind and payments are converted into cash, the cash demand as revenue and *ála málík*'s dues should be something fairly equivalent to the old collections."

The same subject is touched upon in paragraph (3) of the same memorandum:—

"His Honor enquired if in the *jágirs* the villagers would not have to pay something to the *ála málík* *jágirdár*s (over and above the fuller assessment as compared to *khálsa* villages which they already pay) by way of *talukdári* right or the like. Mr. O'Brien said it was his intention to propose some such payment, and that perhaps certain cesses, such as the *ghíána*, *dumiána* and *bechghat* would be merged into it."

In the records of the regular settlement of Lambagrón, Mr. Lyall declared that the demand as then fixed, partly in cash and partly in kind, included both land revenue and *talukdári* due, and that when the revenue came to be assessed in accordance with the ordinary rules of Government, the Rája, as and where he was superior proprietor, would be entitled to 15 per cent. upon and in addition to the land revenue proper. Nowhere in his assessment report did Mr. O'Brien refer distinctly to the Rája's dues as superior proprietor, the only reference to this subject is where he stated that his cash assessments were made to approximate to the value of the grain collections, and which certainly included the *talukdári* dues. In his review of the report, the Financial Commissioner presumed that the new assessments included the Rája's dues as superior proprietor as well as assignee of revenue, and that a deduction should be made from the full demand in regard to the payment of cesses thereon. Sir James Lyall in passing orders remarked that the villages in the Lambagrón *jágir* are on the whole much inferior to the *khálsa* villages, and that though the average rate on cultivation came out higher in the latter, he understood that the new assessment like the old one was really considerably higher in the *jágir* villages. If that was so, then a part or (say) 15 per cent. of the demand in the villages in this *jágir* should be classed as *talukdári* and should be exempt from cesses. He added what was specially within his knowledge that it was decided at last settlement that the old assessment must be held to include such a *talukdári*

fee, and that at revision it must be imposed in addition to a revenue demand of the ordinary kind. This was no doubt what the Lieutenant-Governor referred to in paragraph 3 of the printed memorandum, though it is there stated that the *talukaári* fee was to be taken in addition to the fuller assessment taken in *jágir* as compared with *khálsa* villages.

62. On receipt of the Government orders on the assessment report, Mr. O'Brien explained what he had done in regard to the Rája's rights as superior proprietor, and from that explanation the following paragraph is taken:—

"The Rája's collections as superior proprietor consisted of *sath*, *banwazíri*, and *begár*. *Sath* amounted to Rs. 803, *banwazíri* to Rs. 634, according to the Rája's own accounts which were certainly incorrect. Still I took them as the basis of the amount to be included in the *jama* under these heads. *Begár* it was impossible to value. It has been dying a natural death in Lambagráon since Sir James Lyall as Financial Commissioner abolished it in the rest of the district. No accounts are available and the people, whom the Rája's officials stated to render *begár*, stoutly denied it. Though *begár* is dying out it certainly was rendered in former times by the whole of the zamíndárs and menials with the exception of some favourites. This was one of the reasons which led me to estimate the Rája's grain collection at Rs. 3 per *topa* which was the price current in 1890, instead of Rs. 2 per *topa* which was the price current at Sir James Lyall's settlement, and instead of taking the average of the price current between Sir James Lyall's settlement and 1890, which would perhaps have been fairer to the zamíndárs. I admit that this was a very rough way of giving the Rája an equivalent to *begár*, but it was the only way that I could think of for giving him something. Thus *sath* and *banwazíri* according to the Rája's accounts and *begár* in this rough way were included in the *jama*.

"The *jamas* of the *jágir* villages are fully 15 per cent. higher than adjoining *khálsa* villages of similar quality. The *jama* was at the time of assessment fixed higher than in the similar *khálsa* villages in order to comply with the orders of His Honor the Lieutenant-Governor in the fifth paragraph of the notes of the conversation at Dharmásála on March 17th, 1890, viz., that the new *jamas* should be equivalent in value to all the Rája's collections. I confess I did not think of fixing any *talukdári* allowance, because *talukdári* is rent and the *jágirdár* must recover it through the Civil Court, but he can recover revenue by merely applying to the Tahsíldár. This fixing any *talukdári* allowance is equivalent to placing part of what is really revenue on a lower position than the rest. This was very unsuitable to Lambagráon, where the relations between the *jágirdár* and his zamíndárs are very strained. As, however, all the Rája's cesses have been included in the *jama* fixed, and the *jama* fixed is fully 15 per cent. higher than what I would have assessed in *khálsa* territory, I have divided off 15 per cent. of the *jama* to be *talukdári* allowance on which cesses will not be charged."

He elsewhere wrote that the Lieutenant-Governor's orders on the Lambagráon case very much simplified the instructions given in the printed memorandum, because the new orders amounted to this that a *jágir* village was to be assessed as if it were *khálsa*, and 15 per cent. added for cesses and *talukdári* dues paid to the superior proprietor, but he distinctly stated that in complying with the first instructions, all the Rája's collections and even his rights to *begár* were taken into consideration. Mr. O'Brien made similar remarks in the Chahri assessment appeal in which the *jágirdár* superior proprietor claimed to have a *talukdári* allowance fixed under Section 146 of the Land Revenue Act in addition to the demand announced. He there mentioned that he had followed Mr. Lyall in assessing a sum sufficient to cover the land revenue and the superior proprietor's rent, that there was a glamour about superior proprietor's rent or *talukdári*'s dues, but it was only rent after all, and that in turning part of the land revenue into rent the only advantage would be symmetry, that is, the removal of the apparent anomaly of a right in land without a rent clearly attached to it.

63. Four *tappás*, forming the Rájgíri *taluka* of this *jágir*, lie to the south of the Beás in the Hamírpur tahsíl, and the assessment of this *taluka* was reported along with the other *talukás* of that tahsíl. It is perhaps the most broken and inaccessible tract in the whole district. The soil is poor, irrigation does not exist. The proprietors are mostly Ráthíes, and even the Rájpúts and Brahmins are not prejudiced against the plough, many are in service in the army or elsewhere. The sales and mortgages are, if anything, a little less than in Hamírpur tahsíl generally. The holdings are somewhat larger than elsewhere, but the land is largely *bahand banjar*, not producing a crop every year. The recorded decrease in cultivation in this *taluka* has been considered in paragraph 46. There has been a steady rise in population. The half assets estimate was Rs. 10,053

and the demand announced Rs. 10,279, being a slight decrease on the demand of Rs. 10,327 in force before the re-assessment. As will be shown elsewhere this demand included *tulukdári* allowance, and it should not be compared with the half assets estimate. The information upon which the assessment of this *taluka* was made was very imperfect, and in all probability, if the cultivated area had been measured, the Settlement Officer would have seen his way to assess somewhat higher. On the other hand, the tract is poor and insecure, and people have to look to the wages of their labour as a means of paying the revenue. On the whole then, though the *jágírdár* has, to a certain extent, lost, there is less regret than there might otherwise have been at the lowness of the assessment.

64. According to the present records the revenue and *tulukdári* dues of the Rája of Lambagrón are as under:—

Tahsíl.	Village.	Revenue.	Rate per cent.	Talukdári amount.
1. Pálampur ... ...	Kotla ... ...	Rs. 461	15	Rs. 71
	Baijnáth ... ...			
2. ... ...	Diroh ... ...	3,958	...	...
	Nináwán ...			
3. ... ...	Various ... ...	562	...	...
4. ... ...	Pure <i>jágír</i> villages ...	21,362	17·65	3,739
	Total of Tahsíl ...	26,343	...	3,810
5. Hamírpur ... ...	Pure <i>jágír</i> villages ...	7,810	15	1,176
6. ... ...	Various ... ...	475	...	...
	Total of Tahsíl ...	8,285	...	1,176
	GRAND TOTAL ...	34,628	...	4,986

*Talukdári* due should have been charged on Rs. 3,958, and as explained hereafter this is now being arranged for. The items (3) and (6) are on account of land of which the Rája is not superior proprietor, but only assignee of the revenue. These items are not correct (see paragraph 61). The total demand for the whole *jágír* is Rs. 39,614. This includes the subordinate *jágírs* and other grants made by the Rája, and it is possible to compare it with the demand shown in paragraph 201 of Mr. Lyall's Settlement Report. There the total demand was Rs. 34,772, but from this has to be deducted Rs. 370 on account of Miún Moluk Chand's *jágír* which is not included in my total, leaving Rs. 34,402. Mr. Lyall noted that the Rája was at that time further entitled to about Rs. 1,000 as *banwazír*. He is still entitled to part of this in addition to the revenue, and therefore this item has been excluded from consideration. The Rája is thus entitled to Rs. 39,614 as against Rs. 34,402, an increase of Rs. 15 per cent., which is rather less than the increase in the *khálsa* parts of the district where it was at the rate of 17 per cent. Mr. O'Brien, in explaining why the enhancement in *khálsa* estates was less than in the *jágírs*, pointed out that the amount shown as the assigned revenue before the settlement was little more than an estimate of every form of income which the Rája *jágírdárs* received from the *zamíudárs*, and would hardly be compared with the demand now fixed which was land revenue, pure and simple.

65. The Nádaun *jágír* was treated in a separate report. It is in the Nádaun *jágír*. Hamírpur tahsíl, and on the whole is more fertile, but it has only one per cent. irrigated and a fourth of the whole cultivated area is *bahand banjar*. Wheat and maize are here as elsewhere in *báráni* tracts the principal crops. Population has increased since 1881, but there is not here the same pressure on the land as in other parts, there being

only 662 per square mile of cultivation. Holdings however are small the



him and not to the Government, and the controversy began even before the issue of the Financial Commissioner's Circular No. 1 of 1854, which laid down the general principle that on the lapse or resumption of *máfís* in *jágír* villages, they should revert not to the Government but to the *jágírdár*. Different views were taken by different officers, and it was not until 1880 that what seemed final orders were passed. In the course of the case it was decided that the *tika*, not the *tappa* which consists of several *tikás*, was to be considered the village or separate unit, and thus the Rája had no right to lapsed grants of entire *tikás* or of parts of *tikás* not included in his *sanad*, but only to lapses within *tikás* of which he is the *jágírdár*. The Rája's claim was based on the contention that the *tappa* was the village, and that as he was the *jágírdár* of the *tappa* he was entitled to all lapses within the *tappa*; and it was therefore not granted. But the Commissioner (Mr. Brandreth) proposed to put an end to all further enquiry or reference by a decision "that we will accept the present status, that the Rája shall waive any claims to refunds or to restoration of any of these grants, but that all future lapses shall accrue to him without further question or enquiry, that is, that he will be allowed to hold these 14 villages or *tappás* for the future subject to an annual payment of Rs. 5,836, \* the amount paid this year (1879) and *independent of future settlements or remeasurements or re-assessments.*" The case was referred to the Government of India in Punjab letter No. 857, dated 9th September 1880, in which it was recommended that no further interference be made as regards the lapse of petty revenue free grants in whatever class of village they may be situated, but that the *jágírdár* should continue to pay yearly to Government the sum of Rs. 5,836 (since reduced to Rs. 5,807). These proposals were accepted by the Government of India.

69. In the recent re-assessment the lands which had up to that time paid a revenue of Rs. 5,807 were assessed at Rs. 6,803, and the Rája claimed that he was entitled to the benefit of the enhanced assessment. The point was at first decided against him and he was required to pay Rs. 6,803 to the Government, but on a reference to the Financial Commissioner this decision was reversed, on the ground that the Punjab Government had approved of Mr. Brandreth's proposal which has been quoted above, and that "although the relinquishment of any increase which might result from re-assessment was not specifically mentioned in the Punjab letter to the Government of India, such was the intention of Government in accepting Mr. Brandreth's proposals, the object of which was to effect a final settlement in regard to the *máfi* plots and avoid future interference in respect of them." The result then is that the whole of the 14 *tappás* consisting now of 418 *tikás*, in the Nádaun taluka, may be considered as the *jágír* of the Rája of Nádaun, subject to the payment by him of a fixed sum of Rs. 5,807, and he will be entitled to any future lapses of revenue free grants. These grants now amount to Rs. 503, of which Rs. 82 is assessed on land of which he is the superior proprietor, and Rs. 421 on land of which he is not superior proprietor.

70. The Guler *jágír* consists of 20 villages scattered throughout the five *talukás* that form the north-western part of the Dehra *tahsíl*, and some of them are the best in the Haldun (see paragraph 168 of Barnes' Settlement Report) and of the total cultivated area 42 per cent. is irrigated, though in some parts the supply of water is not secure. The Rája himself owns one-tenth of the cultivated land, and Girths about a half, Brahmins and Rájpúts about a third. The holdings are larger than elsewhere being 7 acres among Thakkars and 4 acres among Girths and Rájpúts. Alienations were unknown until the present settlement (see paragraph 113).

71. The previous *jama* entered in the *sanad* and used for the purpose of calculating cesses was Rs. 20,711, but it was a nominal *jama* only, and the actual collections were made partly in grain and partly in cash. The demand in grain was in some places a fixed quantity without regard to the crop, in others it was a share of the actual produce, and besides this there were numerous extra cesses, arbitrarily fixed and very oppressive. An account of the abuses that prevailed in this *jágír* before the settlement is given in paragraph 9 of the assessment report. The cesses are fully described in Financial Commissioner's No. 1154, dated 20th November 1885.

\* NOTE.—This was subsequently reduced to Rs. 5,807.

Indeed it was the complaints of the zamíndárs of Guler as to the arbitrary exactions of the jágírdár that brought to a point the question of the re-settlement of the Kángra district.

The Rája stated that his income was in all Rs. 29,787, but this included many items which were not land revenue nor even *talukdári* dues, e.g., local rate, *lambardári* and *patwári* cesses, income from forests. Gaddís and Gujars, and also the rent of the land of which the Rája is full proprietor, Mr. O'Brien therefore made certain deductions and calculated that the net realizations on account of land revenue proper and of *talukdári* dues were about Rs. 23,636.

72. The half-assets estimate which was prepared according to the rates of produce and the prices fixed for the *talukás* in which the jágír villages lie amounted to Rs. 19,636 and the *taluka* rates gave a *jama* of Rs. 19,375, and the demand announced was Rs. 20,000. To this a *talukdári* allowance of 20 per cent. was added in consideration of the cesses he used to collect and his loss of *begár* and in order to make up the Rája's previous income. The Rája thus got as revenue and allowance Rs. 24,000, which was somewhat in excess of his own return of his income. Mr. O'Brien pointed out that the only justification for so high an assessment was that the zamíndárs had paid its equivalent to the Rája and his farmers. The zamíndárs had gladly accepted the *jamás* announced and the Rája also was satisfied. He noted that the working of the new *jamás* in Guler would have to be closely watched and relief given at once if they proved too high. He was doubtful whether the zamíndárs would be satisfied after the demand had been distributed and each man knew what he had to pay.

73. The Financial Commissioner (Mr. Mackworth Young) in his review pointed out that the assessment was pitched much higher than in the Dehra tahsil through which the Guler villages are scattered, and that the proposed demand was well in excess of the Rája's actual realizations. He therefore suggested that the revenue might be reduced by 8 or 10 per cent., which Mr. O'Brien himself considered desirable, and he proposed a maximum assessment, including *talukdári* dues, of Rs. 22,000. The Lieutenant-Governor in passing orders referred to the similar case of Dáda Síba in which a deduction had been accepted, but pointed out that in the Guler case the assessments had been already announced and had been accepted by the people and by the Rája; that after all the question whether an assessment should be considered light or heavy depended a good deal on how the parties concerned regarded it, and this again depended on the nature and pitch of the previous assessment. As Mr. O'Brien had succeeded in satisfying both parties, the Lieutenant-Governor thought it wisest to leave well alone, but while approving of the proposals made by Mr. O'Brien, His Honor, in view of the suspicion that the zamíndárs when they saw the assessment actually in operation might change their minds, deferred final confirmation to the assessment.

The revenue has now been collected for five years, and I am not aware that any complaints have been made. I have marched through the villages under circumstances that, if anything, encouraged the people to bring forward any grievances they had, but though many other charges were made, and many complaints based on settlement operations were brought forward, still not a single zamíndár represented that the revenue was too high. It has been paid without a murmur, and I presume that the final confirmation will now be given.

74. Mr. O'Brien in the assessment report gave a succinct history of the Dáda Síba jágír and I repeat it here in full, as it is necessary in order to explain the status of the Rája and the zamíndárs in Tappa Kotla and in the rest of Dáda Síba, and the different conditions under which the present settlement in these two tracts is made:—

"The family have been in the possession of Dáda Síba for more than 600 years. In 1808 Bhúp Singh, the Rája of Guler, seized the country from Rája Gobind Singh of Dáda Síba. In 1818 the possession of all the hill chiefs fell under the rule of Ranjit Singh. Rája Gobind Singh and Devi Singh each gave a daughter in marriage to Dhian Singh, Minister of Ranjit Singh, who restored the Dáda Síba jágír to Rája Gobind Singh. This occurred in 1830. Devi Singh died the same year, and Ranjit Singh took the tappa Kotla, valued at Rs. 5,000, from Rája Gobind Singh and gave it to Bije Singh, the son of Devi Singh, and left the rest of the Dáda Síba jágír, valued by the

Sikhs at Rs. 15,000 to Rája Gobind Singh. This was the beginning of Kotla being on a standing separate from the rest of the *jágir*. Rája Gobind Singh died and was succeeded by his son Rája Rám Singh. The *jágir* continued separate as before. When the English took the country, the *jágirs* were continued separately to Rája Rám Singh and Bije Singh, but the Rája's *jágir* was made subject to a tribute of Rs. 1,500. In 1848, Bije Singh joined the Jaswan rebellion of Bedi Bikarma Singh and others, and when it was quelled Bije Singh fled to Kashmír, and his *jágir* of Kotla was confiscated. Then appeared the regular settlement, and in 1848-52 Mr. Barnes made a settlement with the proprietors of the land, recognizing none of the various cesses or the ownership of trees standing in private land. He made a cash assessment of Rs. 3,692 on Kotla. The rest of Dáda Siba remained as before without a regular settlement. It will be shown further on how the *jágir* of Kotla and Dáda Siba were united in one person, but the fact of Mr. Barnes having made a regular settlement and a cash assessment of Kotla, which recognized no one but the owners of the soil during the time that it was *khálsa* and not *jágir*, accounts for the facts that the Rája of Dáda Siba has no *talukdári* rights and no rights to trees standing in private land, or to any of the numerous cesses called *lags* in the Kotla tappa. The settlement of Mr. Barnes was the *Magna Charta* of the zamindárs of Kotla, and should have sufficed to protect them from the exactions of the Rája and his officials which prevail in the Dáda Siba *jágir*. The *jágir* of Kotla was restored to Bije Singh in 1858. Rája Rám Singh died in 1875, and the *jágir* of Dáda Siba was regranted to Bije Singh (see letter No. 2122 G., dated Simla, 7th August 1878, from Foreign Secretary to Government of India, to the Secretary to Government, Punjab). Thus the *jágir* of Dáda Siba and the *jágir* of Kotla which had been separate since about 1830 became re-united in one person, Rája Bije Singh, in 1878. The only difference for the present purposes is that Kotla had been settled and that Dáda Siba had not been settled."

75. The *jágir* lies on the south of the Beás; the tract is almost entirely dependent on rain, but 10 per cent. is irrigated from the river and the *khads* running into it. The soil is stony and poor, but it produces good crops if the rains are seasonable, more than a third of the cultivation is classed as *bahand banjar*, and altogether Mr. O'Brien considered that this tract was one of the poorest in the district. There has been a slight decrease in population since 1831, but the density per square mile of cultivation is still 762. Holdings average 4 acres, which is fairly large for this district, but then there is so much *bahand banjar*. Alienations were unknown in 1880, but have been going on since: (see paragraph 113).

The revenue fixed at the summary settlement was determined by reducing the income said to have been enjoyed by the Rája by 25 per cent. The Government sanctioned a total demand of Rs. 20,000, but the sum actually distributed was Rs. 23,011. This difference arose because the Financial Commissioner considered that the *májis* were not included in the sum of Rs. 20,000; the Settlement Officer was of opinion that they were included, and but for the ruling of the Financial Commissioner the demand would have been Rs. 20,405 including *májis* and cesses, *viz.*, Rs. 18,219 revenue and *talukdári* allowance and Rs. 2,186 cesses. The half assets estimate prepared at the summary settlement was Rs. 14,581, and if to this is added 20 per cent. *talukdári* allowance and Rs. 3,007 on account of cesses as in *khálsa* estates, the total will be Rs. 20,504, or slightly in excess of what in my opinion the Government sanctioned.

76. For Siba Proper, the Rája gave his average income for ten years as Rs. 19,560 revenue, Rs. 1,450 extra cesses, Rs. 631 income from mango trees, total Rs. 21,641. From this total the following deductions were made in order to get at the true revenue, *viz.* :—

	Rs.
Local rate paid to Government ... ... ... ...	1,555
Paid to village officials ... ... ... ...	622
Difference between rent and revenue on holdings belonging to the Rája ... ... ... ...	245
<b>Total</b> ... ... ...	<b>2,422</b>

The net collections as land revenue therefore amounted to Rs. 19,219. In the same way the total collections for Kotla, given as Rs. 4,749, were reduced by (Rs. 479 + Rs. 104 + Rs. 74 =) Rs. 657, leaving as true revenue Rs. 4,092. Mr. O'Brien was of opinion that in both cases the Rája's collections had been exaggerated. The total is Rs. 23,311.

In the two statements given below the former assessments and the new demand are compared. I have already explained how the amended *jama* of the summary settlement was arrived at—

4.

	Sikh nominal assessment.	Jama of summary settlement.	Jama of summary settlement (amended).	Rája's net collections.
				Rs.
Kotla	...     ...     ...     ...     ...	5,000	3,692	3,692
Siba	...     ...     ...     ...     ...	15,000	20,546	18,219
	Total	20,000	24,238	21,911
				23,311

8

	Estimate by revenue rates.	Half assets.	Proposed revenue.	Talukdári.	Total demand.
					Rs.
Kotla	...    ...    ...	3,311	3,555	3,944	3,944
Síba	...    ...    ...	12,167	14,159	14,128	26,952
Total	...	15,478	17,714	18,072	20,896

Mr. O'Brien considered that the proposed assessment was very high, and would be paid with difficulty. The rate per acre of cultivation was Re. 1-12-5, which was higher than in any similar *taluka* in the district, and was a very severe rate in a tract where the land was so poor, two-thirds of the cultivated area producing only one crop in the year or one crop after more than one year. In this comparison it was forgotten that the demand in Siba included a *talukdári* allowance, which was of course not taken in the *talukás* with which the comparison was made. After excluding this item, the rate per cultivated acre was only Re. 1-8-6, which is very little higher than in some of the *talukás* in the Dehra talisil and is less than in others. The *talukdári* allowance was fixed at 20 per cent. as in Guler and Nádaun. Mr. O'Brien wrote that he would never have proposed so high an assessment if he had not received instructions in paragraph 5 of the printed memorandum (*see Appendix II*) to make the new *jamáis* in the *jágírs* as nearly as possible equal in value to the former grain collections.

77. The Financial Commissioner (Mr. Mackworth Young) in reviewing this report pointed out that the demand proposed was pitched much higher, with reference to the estimates and character of the cultivation than in the other *jágir*, that in Kotla it was 11 per cent. higher than the half assets estimate; that this was a cash assessment and hitherto half the *jágir*, presumably the most insecure portion, had been paying in kind, and he had grave apprehensions that the settlement would break down. He further noted that there was no test of the correctness of the accounts of the Rája's collections, and that the Rája was placed in possession of the *jágir* on the express condition that a proper settlement would be carried out, a condition which has led to his declining to accept a *sanad* up to the present time, in hopes that the intention would not be carried

out on the principles laid down. He therefore recommended a reduction of the assessment by one anna in the rupee; Mr. O'Brien would have welcomed a still further reduction.

In passing orders on this point, Sir Dennis Fitzpatrick remarked that what Sir James Lyall said was that the cash demand should be "something fairly equivalent to the old collections" in kind; and he went on—

"It is generally understood that the fixed cash payment which will be a 'fair equivalent' for a revenue or rent paid in kind must of necessity be considerably below the average value of the receipts in kind over a series of years, which Mr. O'Brien seems to have thought he was bound to take as the measure of his demand in this case. It is only reasonable that it should be considerably lower inasmuch as, on the one hand, the conversion from kind to cash saves the person entitled to receive the revenue or rent considerable charges for establishment and considerable risks of being cheated by his servants; and, on the other, it is impossible to expect that improvident people, like the petty landholders in this country, could, in practice, when they take the risk of seasons and variations of price, pay every year a fixed sum in money equal to the average value of the share of the produce which they could deliver in kind. The Lieutenant-Governor thinks, putting a reasonable construction on what Sir James Lyall said, that he must have intended to allow to the Settlement Officer a more considerable latitude than Mr. O'Brien supposed, and that accordingly, the reductions which the Financial Commissioner has proposed with a view to bringing the assessments more nearly into accord with what Mr. O'Brien himself considers they ought to be are fair and legitimate."

The revenue was accordingly reduced and was announced as under—

	Revenue proposed.	Reduction	Actually announced.	Talukdari.	Total demand.
					Rs.
Kotla	... ... ...	3,944	252	3,692	... 3,692
Siba	... ... ...	14,128	883	13,245	2,649 15,894
Total	...	18,072	1,135	16,937	2,649 19,586

78. In assessing the revenue, the Settlement Officer took into consideration the income which the Rája alleged he made from certain miscellaneous sources, and he specially noted that he had "taken the Rája's own figure, Rs. 631, as his profits from the fruit of the mango and *mahu*, and had added the amount to his estimate of the Rája's collections in order to make some compensation for his supposed rights."

In the Government orders it was pointed out that the assessment was made on the assumption that the Rája had these rights, but would not assert them, and sanction was given to the assessment on the condition that if the Rája asserted these rights the assessment would be reduced. In a petition presented to the Lieutenant-Governor the Rája made certain claims as to the rights in trees and specially claimed half the fruit of the mango trees. He was quite ready to have his assessment reduced by Rs. 631 on the understanding that he might take the fruit of the mango trees as before. To this I objected, as it would keep open the old sores and be liable to abuse; and the Lieutenant-Governor agreed that the record should be maintained even if the Rája was willing to relinquish the amount added to the assessment. In regard to the claim to six kinds of trees standing on cultivated land, the entry made in the summary settlement was restored in its entirety. The settlement has unfortunately not disposed of some of the questions pending in this *jágir*. The Rája is very tenacious of all his old small dues and fights every case that comes up. He has certainly lost considerably by the recent assessment, whereas he had been looking forward to the correction of the many mistakes which he considered had been made at the summary assessment.

79. In consequence of the different rates fixed for *talukdári* dues in *talukdári* dues in *jágírs*. Different *jágírs* and even in different parts of the same *jágír*, a reference was made to the Financial Commissioner suggesting certain changes. The Commissioner and Financial Commissioner did not think it necessary to alter the *báchh* already made, but they considered that the whole question should be gone into fully in the Final Settlement Report, and that it should be explained exactly how the percentage used in each case was fixed. It was pointed out by them that so far as the present settlement is concerned, it matters little to the *jágírdár* who gets the whole demand, whether he gets 15 per cent., 17·65 per cent. or 20 per cent. of it as dues; but at the next settlement it may make a great difference, for then the land revenue will presumably be assessed on an equal basis in all villages, whether *jágír* or *khálsa*, and it will become a matter of importance how much per cent. on that land revenue the *jágírdár* is to receive in addition to it. This is the justification for the full consideration of the subject, which involves on my part the criticism of Mr. O'Brien's work, though as Mr. Ibbetson, when Commissioner of Jullundur, wrote, he is no longer here to tell us exactly what he did do in what was a purely personal settlement.

80. It has been shown in paragraph 62 how the *talukdári* due in that *talukdári* dues in Lam- part of the Lambagráo *jágír* lying in the Pálampur tahsíl, vagráon. north of the Beás, was fixed at 15 per cent. of the total demand, or 17·65 per cent. on the revenue. The separation of the revenue from the *talukdári* was easy enough where the Rája was superior proprietor of whole villages or whole *tikás*; but difficulties arose in shared *tikás*.

In Kotla, Baijnáth, Daroh and Ninawán the Rája was superior proprietor at the regular settlement of parts of certain *tikás*, but by mistake his rights were not admitted in the recent settlement, and no part of the demand announced was explicitly declared to be *talukdári* allowance. In Kotla the matter was brought to my notice by an application of the Rája, and permission was given by the Financial Commissioner to revise the record, and in this case I held after examination of the assessment sheets that the demand announced included the *talukdári* dues, and I did not allow the claim made by the Rája that the *talukdári* dues should be granted over and above the demand fixed by Mr. O'Brien. The rate allowed was 15 per cent. on the revenue as directed by the Financial Commissioner in accordance with the entry at the regular settlement. A new *báchh* and a new standing record were made in this village.

In the case of Ninawán, Daroh and Baijnáth the Rája made a similar claim, but it seemed to me that the matter was one that should be disposed of by the Courts, and not by the Collector as a Revenue Officer, and the Rája instituted a test suit in my Court, for the *talukdári* allowance, that is for rent. It was admitted on both sides that the Rája was superior proprietor and that he was entitled to a *talukdári* allowance of 15 per cent. on the revenue proper; but it was contended for the inferior proprietors that the allowance was included in the demand announced and paid as part of it, while the Rája claimed the allowance in addition to that demand. The evidence of Lála Moti Rám, Extra Assistant Commissioner, who alone could speak as to what was actually done at settlement was recorded, and it will be found useful at next settlement, should any questions arise. The enquiry showed beyond question that the Rája's rights as superior proprietor were taken into consideration in the assessment and that two mistakes were made in the subsequent proceedings. It was wrongly declared that the Rája was not superior proprietor, and, in making the *báchh*, the full proprietors and the inferior proprietors were treated alike, whereas *talukdári* dues should have been taken from the latter, and the revenue assessed on the former reduced by an equal amount. Further the cesses should have been calculated only on the land revenue proper to the exclusion of the *talukdári* allowance. The question of the correction of these mistakes in the 58 *tikás* concerned has been referred to the Financial Commissioner, but orders had not been received at the time of submitting this report. It was recommended that a new *báchh* be made on the same lines as in Kotla, the *talukdári* allowance being calculated as in that village at 15 per cent. on the land revenue proper.

81. In the Hamírpur Assessment Report, the subject of *talukdári* dues was not specially considered in the Rájgírí taluka which is in the Lambagrón jágír. It was noted that the Rája was superior-proprietor of all the land except those *tikás* given to him to consolidate the jágír (see paragraph 109 of this report); and in the detailed list submitted with the report the total demand was divided into land revenue proper and *talukdári* allowance. The rate allowed in this part of the jágír was 15 per cent. on the land revenue, not 17·65 per cent., as in the part north of the Beás. The subject was incidentally mentioned in paragraph 6 of the Financial Commissioner's Review, but was not noticed in the Government orders. It was held by the Commissioner that the dues as reported by the Settlement Officer in the detailed tables attached to his assessment report were sanctioned by the Financial Commissioner and by the Government, and therefore no alteration has been made.

82. It is thus seen that in the Lambagrón jágír, two rates for the *talukdári* have been accepted by the Government: (a) 17·65 per cent. on the land revenue in the northern part, and (b) 15 per cent. on the land revenue in the southern part. In the whole of these assessment proceedings it was overlooked that it was not an open question what rate should be allowed for in the regular settlement made by Mr. Lyall in 1868-69, the rate had been already fixed at 15 per cent. on and in addition to the land revenue. Having regard to Section 37 of the Land Revenue Act, I doubt if we are justified in making any change. In the case of Kotlu village where the Rája had been at first refused the position of superior proprietor, and therefore any *talukdári* dues, the Financial Commissioner (Mr. Mackworth Young) directed the adoption of the percentage sanctioned by Government for other villages. viz., 15 per cent. on the land revenue, and this rate has been recommended for Baijnáth, Daroh and Ninawán also. There can be no doubt that if the entry in the first regular settlement had been placed before Mr. O'Brien or before the Government, the old rate would have been maintained. The Rája has not lost by the mistake as he gets both the revenue and the *talukdári* allowance, and the total of these two items is the sum fixed by Mr. O'Brien; the people do not suffer at present for they have to pay less cesses, as the land revenue has been under-estimated. But at next settlement the Rája may claim *talukdári* dues at 17·65 per cent. on the revenue in all cases where the dues are now paid at that rate; and if this rate is acted upon for twenty years, lawyers may find that the Rája's claim is good in law. It is more likely, however, that the Rája will raise no objection to a return to the correct and original rate of 15 per cent. on the land revenue.

83. The Rája has not accepted the assessment of his jágír with any complaisance; but while he certainly had just cause for complaint in regard to the manner in which his superior rights were treated, he is quite wrong in thinking that he should get or was ever intended to get the *talukdári* allowance in addition to the demand announced. In paragraphs 61 and 62 it has been clearly shown that that demand included the *talukdári* dues at least in the pure jágír *tikás*, and the further enquiry made by me in regard to the shared *tikás* left no doubt that in these *tikás* also he has no right to receive an allowance in addition to the demand announced, but that he is entitled to a re-distribution of that demand and to a recognition and record of his rights as superior proprietor.

84. In paragraph 14 of the Nádaun Assessment Report, Mr. O'Brien mentioned that of the proposed demand of Rs. 39,405 a Talukdári dues in Nádaun. sum of Rs. 4,421, or 11·22 per cent., was *talukdári* allowance. The Commissioner and Financial Commissioner in their reviews referred to the total amount but not to any percentage, and the subject was not touched upon in the Government orders. The Financial Commissioner in paragraph 6 of his Review of the Dáda Síba Assessment Report compared this rate of 11·22 per cent. with the proportion which the similar dues in Dáda Síba and Guler were to bear to the true land revenue; and he probably understood that this rate showed what allowance had in Nádaun been given to the Rája in addition to the revenue of the land of which he was the superior proprietor. It was forgotten that this rate of 11·22 per cent. showed merely that of the total demand of the *talukdári* which included *khálsa* revenue, jágír revenue and *talukdári* allowance, 11·22 per cent. was *talukdári* allowance, and that it was not the proportion that the *talukdári* dues bore to the land revenue proper.

85. The manner in which the assessment was carried out in the three *jágirs* of Guler, Síba and Nádaun was thus described by Mr. Ibbetson when Commissioner of the Jullundur Division. In reporting on the manner in which the *talukdári* dues were calculated in Nádaun, I have followed him closely in all that I have written as to that *jágir*.

The fact is that the circumstances of the three assessments differed in a very material respect. In all three tracts, Mr. O'Brien after a minute personal inspection of each *tíka*, fixed the demand which he thought it could pay. In Guler and Dáda Síba he found that the total of these demands fell considerably short of the value of the Rája's collections in past years. He held himself bound by paragraph 5 of Sir James Lyall's memorandum of March 1890, to bring his total demand approximately up to these collections. This he did by treating his *tíka* demands as land revenue and adding to them 20 per cent. as *talukdári* dues."

"But in Nádaun he found that the total of his estimated *tíka* demands already exceeded the value of past collections. He accordingly took this total as his whole demand, and divided it into land-revenue and *talukdári* dues, the latter thus being a deduction from his *tíka* demands, instead of an addition to them as in the other two cases. This division was necessary in certain cases only, for in some of the *tíkás* and in certain lands of other *tíkás*, no *talukdári* rights existed."

"The principle thus followed appears to me to be open to criticism for the demands were estimated in all *tíkás* on a similar basis, and the retention of them as the full demands in all cases placed the full proprietors of lands in which no *talukdári* rights existed in no better position than that enjoyed by the inferior proprietors of lands in which these rights did exist. The principle, however, has received the approval of Government. But no mention was made either in the report 'for the Nádaun *jágir*' or in the orders upon it, of the rate at which the *talukdári* dues were to fall upon the land revenue proper; and the only indication of Mr. O'Brien's intention in this respect which was submitted to higher authority was to be gathered from the figures of columns 9 and 10 of the detailed table appended to his assessment report."

86. From the office records it appears that Mr. O'Brien had in his draft report given the amount of the *talukdári* dues at one-sixth of the total demand. This would have made the dues fall upon the land revenue proper at 20 per cent., the rate that he had proposed for Guler and Dáda Síba. In an order, dated 2nd July 1892, passed just before the assessment report was submitted, he fixed 15 per cent. as the percentage, and apparently intended this to be the proportion of the dues to the land revenue, which would have made them fall at 13 per cent. on the total demand; though this is not quite clear, and in Lambagráon Sir James Lyall had fixed the dues at 15 per cent. on the total demand; and from what Mr. O'Brien has written in another case about the same time, I think he probably intended the rate to be 15 per cent. of the total demand in Nádaun also. He also pointed out that no dues were to be charged on *khál-sa* *tíkás* or "on that revenue of shared *tíkás* which is payable to Government". In applying these orders to the calculation of the figures in columns 9 and 10 of the table attached to the Assessment Report, his office made some mistakes. They showed no dues at all in shared *tíkás*. They calculated the dues at 15 per cent. on the total demand; but this was not done in all cases, for some of the calculations had already been made at one-sixth of the total demand, and these were not altered. Mr. Ibbetson has pointed out that this detailed table was only a rough statement, which is not ordinarily submitted with an assessment report and which was so submitted in the case of the Kángra district, simply because the assessments there were based rather upon Mr. O'Brien's individual estimates of what each village could pay than upon any general rates, so that, so far as check was possible at all, it had to be applied to these estimates. In this particular case the table in question assumes an additional importance because, as already pointed out, it contains the only indication of the proportion between land revenue and *talukdári* dues which had been submitted for sanction.

"When the final *báchh* had to be made, it became necessary to correct the errors of this table, and Mr. O'Brien followed the principle upon which the greater part of the figures had been calculated and directed the dues to be taken at 15 per cent. of the total demand which is equivalent to 17·65 per cent. on the land revenue. This involved the re-calculation of the whole of his *báchh*, but he accepted this necessity because he did not feel at liberty to depart from the principle on which the figures of the table had been for the most part calculated."

The total *talukdári* dues now come out at Rs. 4,716, instead of Rs. 4,421 as shown in the assessment report. In the pure *jágir tikás* of which the Rája is superior proprietor the *báchh* has been correctly done; but in the shared villages there is a slight mistake. In order to separate off the *khálsa* from the *jágir* demand in such *tikás*, the soil rates were worked out upon the actual areas of *khálsa* land and upon the *jágir* areas increased by 15 per cent., that is, the *talukdári* allowance for this purpose was 15 per cent. on the land revenue; but after the total *jágir* demand was ascertained in this way, it was *báchhed* as in pure *jágir tikás* the rate being 15 per cent. of the total, or 17·65 per cent. on the land revenue. The result was that the soil rates used in distributing the *khálsa* revenue could not be used in distributing the *jágir* revenue. The difference is small, but two rates for *talukdári* were as a fact used in the same *tiku*. The actual result of the operations as carried out is as under—

	Rs.
(1). Revenue on land settled with Rája at Rs. 5,807 but assessed at ...	6,803
(2). Revenue on land of which the Rája is superior proprietor excluding <i>máfi</i> ... ... ... ... ... ... ...	26,754
(3). Revenue on land of which the Rája is assignee, but is not superior proprietor ... ... ... ... ...	629
(4) <i>Máfi</i> revenue on land of which the Rája is superior proprietor .. ...	82
(5). <i>Máfi</i> revenue on land of which the Rája is not superior proprietor ...	421
Total revenue proper ... ...	34,689
(6). <i>Talukdári</i> on (2) and (4) at 17·65 per cent. ... ...	* 4,716
Total demand as announced ... ...	39,405

It is necessary to add that in the administration paper which was the last record prepared it is stated that the *talukdári* allowance was to be 15 per cent. on the land revenue, but that entry is explained to mean that of the total assessment 85 per cent. was to be treated as revenue and 15 per cent. as *talukdári*, that is, the rate was declared to be in reality 17·65 per cent. though the intention was apparently to give only 15 per cent. on the revenue.

87. In the Guler *jágir* the question of *talukdári* allowance raises no difficulties. It was fixed at 20 per cent. on and in addition to the land revenue; and as there are no shared *tikás*, the *báchh* presented no opportunities for mistake.

In the summary settlement of Dáda Síba the Rája was allowed *talukdári* dues, but the total demand was fixed roughly and it was declared at the time that it was not necessary to scrutinize closely the relative proportions of the land revenue proper and the *talukdári* allowance. It was left until the regular settlement to fix the rate. That has now been done at 20 per cent. and this rate is allowed upon the revenue of Dáda Síba Proper, to the exclusion of tappa Kotla, where, as explained elsewhere, the Rája's claim to superior proprietary rights has not been admitted.

In Kutlehr the Rája is not superior proprietor and gets no *talukdári* allowance.

88. At the next settlement the revenue in all the *jágirs* will no doubt be *Talukdári* due at next assessed, as it is assessed, in the *khálsa* villages, without settlement. any regard to the proprietary rights of the *jágirdárs* or of others. The superior proprietors will be given *talukdári* dues on the land over which they have such rights, and the assessment of these dues will be kept quite *ex parte* from the assessment of the land revenue. In Guler and Dáda Síba the proportion these dues will bear to the land revenue will, as now fixed, be 20 per cent. In Lambagráon, in spite of what has been done in this settlement, the rate should be 15 per cent. as was decided at the first regular settlement of the tract. As to Nádaun, the rate must, I suppose, be 17·65 per cent., which was the rate finally fixed by Mr. O'Brien and entered in the administration paper.

89. To complete the subject of *talukdári* allowances the smaller *jágírs*

smaller cases of talukdári have to be referred to. In Chahri, in Kángra talishil, and dárí dues. Re in Núrpur talishil, the *jágírdárs* appealed against assessment in cash, and on failing claimed a *talurdári* allowance under Section 146 of the Land Revenue Act, in addition to the demand announced. In both these cases Mr. O'Brien's original assessment included both the land revenue and the superior proprietor's rent, and the Financial Commissioner directed that the land revenue should be reduced and a *talukdári* allowance given at 15 per cent. on the land revenue.

In these cases the sanction of the Local Government was given under Section 146 (b). In some cases the superior proprietors on the conversion of the payments in kind to payments in cash did not claim or were not allowed any *talukdári* dues.

90. In the large *jágírs* the *talukdári* allowance is paid to the *lambardárs*

Collection of talukdári at the same time as the revenue, and this arrangement suits the strained relations between the people and the dárí dues. It is of the nature of rent, and the *lambardárs* cannot be considered as responsible for its collection. But it was arranged that for this duty they should receive from the Rájás the same remuneration as for the collection of the revenue, *viz.*, Rs. 5 per cent. As the *lambardárs* are appointed on the recommendation of the Rájás, the latter can scarcely object to their performing this duty; and it was pointed out by the Financial Commissioner that if the Rájás made any objection, it would be necessary to reconsider the rules for the appointment of *lambardárs*. The only difficulty that may arise is that the *lambardárs* cannot receive any assistance under Section 97, Land Revenue Act, in collecting arrears of *talukdári* dues, the Rájás must institute suits under the Tenancy Act, Section 77; but if payments made are first appropriated to the demand for *talukdári* dues it will not be often necessary to go to the Courts.



नवागमन संघन

## CHAPTER V

### RECORDS IN KHALSA AND JAGIR ESTATES.

91. It was originally contemplated that the settlement in all *khalsa* estates and in *jágir* estates that had been already settled Revision of records. should be confined to the assessment of the revenue, and not extend to a revision of the record of rights except in so far as the consolidation of survey numbers was concerned, and the Financial Commissioner recorded that it was not desirable to set aside any of the previous records that might be found correct. But by Notification No. 337, dated 25th May 1891, a special revision of the records was ordered in all estates outside the *jágirs* of Nádaun, Síba and Guler. The work was thus taken up at the end of the settlement, and the result was not satisfactory at least in regard to the new *Wájib-ul-arz*. Mr. O'Brien was of opinion that that record required revision in so far as it laid down rules which were either provided for by legislation or were inconsistent with legislation made after it had been prepared. In so far as the *Wájib-ul-arz* was a statement of customs he considered that no change was necessary. There is no distinct record in the new *Wájib-ul-arz* as to how much of Mr. Lyall's record of customs was to be considered as still binding, but as a fact the old records are constantly referred to. The new record is a very short document, not in the form of an order by the Settlement Collector but of an agreement on the part of the land owners. It leaves untouched many of the subjects of which Mr. Lyall made a full record, and perhaps it was understood that the old *Wájib-ul-arz* would continue in force. In making the new record, and especially in making changes, the restrictions imposed by Section 37 of the Land Revenue Act were not observed, and it is not of much value in any point in which it differs from the old one. On a reference made by me permission was given to amend it in *khalsa* villages in regard to the partition and *nautor* entries, and also in regard to the rights of Government and of the people in trees. The amendments amounted simply to a return to Mr. Lyall's entries. The forest settlement records also provide for the rights of Government by a reference back to the revised settlement of 1866-68.

In the case of Lambagráo in which *jágir* a standing record was prepared at the regular settlement of 1869, the Rája appealed, while Mr. O'Brien was still alive, against the changes made by the Extra Assistant Settlement Officer in the *Wájib-ul-arz* of all estates in his *jágir*, and the appeal was accepted by me, and the records revised. The old entries were restored in all cases except where they had to be changed to suit the alterations made by the introduction of an assessment in place of an assessment in kind.

92. It has been explained in paragraph 19 that the Financial Commissioner (Consolidation of survey numbers. Colonel Wace) considered a revision of the records by a consolidation of the field numbers to be necessary, and even before the re-settlement of the district had been finally sanctioned this work was commenced.

The rules followed were based on those used in Karnál, modified to suit the very peculiar circumstances of this district. The definition of a survey number was that given in Rule 68 (Rules under Land Revenue Act). Irrigated and unirrigated land, grass land, occupied waste and the sites of houses were all thrown into one number, provided they were in the occupation of one person or persons holding under one title, even though divided by paths or water-courses or small strips of waste. Fields in the occupation of tenants who had held continuously since Sambat 1927 (=A. D. 1870-71), in which year a special *girdáwari* had been made just after the revised settlement, were treated as if held by tenants with right of occupancy and were not lumped with the other fields of the same proprietor. The demarcated forests, *ban-kharetars*, Gujars, Sawáñas and Gaddís' goths were all shown separately. At first no limit was imposed on the area of the new numbers formed, but when a considerable part of the consolidation had been done an order was issued that new numbers, that

is, numbers formed of several old numbers, should not exceed four ghumáos in area. At the revised settlement narrow strips of waste between fields were often recorded as common to the *tik* in order to avoid its being assessed, as there was an impression that all occupied waste would be assessed at 2 annas a ghumáo. When such strips were small and came more within the meaning of *bir-banna* than of waste, the land really belonged to the neighbouring proprietors, and advantage was taken of the consolidation of numbers to correct the record whenever the parties concerned agreed. This was done in many cases, and the land was removed from the category of common waste. It is feared that this change took place even in cases where the waste was considerably more than *bir-banna*, for the people had got an idea that the trees on all land entered in their individual names would become their property even though under the records of the revised settlement they belonged to the Government. The new numbers were also arranged as far as possible to suit the natural course of the field inspection and to avoid making the patwári go up and down hill more than was necessary.

93. At first it was supposed that the consolidation might be done without going to the spot, but it was soon seen that this was impossible, as the records were found to be very imperfect and the consolidation on paper would merely make them worse. There had been no *girdáwari* since 1870-71, and most of the mutations and private partitions that had occurred since that time had not been brought to record, and the annual papers were generally an abbreviated copy of the old *jamabandi* with only such changes as had been specially ordered. The records had to be brought up to date, and this could not be safely done on such a large scale if the consolidation was carried out in the *patwárkhána*. The patwáris were accordingly directed to do the work on the spot with the map and the *jamabandi* in their hands. I am afraid that this order was not always attended to as many suits have arisen from errors made, and many mutations are still coming up for the correction of mistakes in consolidation. The nature of the work was such that many mistakes were inevitable even if the work had been going on in a country where the officials could move about without any difficulty.

The work of consolidation was started by the existing patwári staff, but it was found that though some reduction of field numbers was certainly possible, it would not be so great as had been anticipated, and that a large increase in the staff was absolutely necessary. This was specially the case in the Hamírpur tahsíl where subdivision of land was more minute than elsewhere, and where the existing patwári circles were very large. In spite of an increase from 171 to 245 in the staff, the work which was begun in 1886 was not completed in some places until 1892. In Hamírpur it went on for four years continuously, during which the patwáris prepared no *jamabandís*, but devoted their time to the consolidation. I have been told by officials of experience in measurements that the greater part of the district might have been re-surveyed in little more than the time that was spent on consolidation above.

94. The result of the consolidation will be seen from the following figures:—

Tahsíl.	Old numbers.	New numbers.	Numbers in 1895-96.
Kánpur ... ... ... ...	342,379	174,855	193,612
Núpur ... ... ... ...	363,026	194,829	205,286
Pámpur ... ... ... ...	429,149	365,705	387,356
Dehra, exclusive of Síba and Guler ...	362,676	216,969	} 271,634
Síba and Guler ... ... ...	...	40,250	
Hamírpur, exclusive of Nádaun ...	767,713	509,834	
Nádaun ... ... ...	...	124,531	} 652,646
Total, exclusive of jágirs ...	2,264,943	1,462,212	
Jágirs ... ... ...	...	164,781	
Total ... ...	...	1,626,993	1,710,534

The numbers for 1895-96 have been given to show how rapidly we are returning to the former state as partitions go on.

95. As soon as the consolidation was complete in any *taluka*, a detailed *jamabandi*, known as the *ishtimáli jamabandi* was prepared. In it were incorporated the mutations arising from inheritance, alienations and partitions which for several years had not been brought to record. Along with it were filed :—

- (a) field map showing both the old and the new survey numbers;
- (b) *khálsa ishtimáli*, showing for each new number the corresponding old numbers and the holding in which it is included;
- (c) index *ishtimáli*, showing for each old number the new number in which it is included.

These three papers which link the existing records to those of the revised settlement are in constant use, for there is scarcely a dispute as to land in which a reference to the old records is not absolutely necessary. The detailed *jamabandi* which forms part of the standing record was based on the *ishtimáli jamabandi* and, except for errors arising from incorrect consolidation of survey numbers, is probably a very correct record.

96. In a note recorded by the Director of Land Records in 1895 after inspection of the papers of many *patwáris*, the opinion was expressed that though no measurements were made in the recent settlement, still if at any time it became possible to measure gradually, it should certainly be done. Mr. Robertson found that it was very difficult to work on the records as they stand; the consolidation was done in a very drastic and mechanical way and the new records and old maps do not correspond with each other; the old papers as well as the old maps have to be referred to to find out anything on the ground. He wrote that he would like to see re-measurements, which, he thought, was really necessary to a correct record; and, if re-measurement is impossible, he was by no means sure that we ought not to go back to the old numbers as was done in Jhang.

My own opinion of the consolidation is that it did more harm than good. No doubt the *patwári* has now fewer numbers in his *khásra girdáwari* and in his detailed *jamabandi*, the decrease in the whole district being about one-third; but for all purposes, except the actual *girdáwari*, the old numbers and the old maps must be referred to. The revenue officials who have to use the new records unanimously condemn the consolidation. The numbers are sometimes of large area and most irregular, the fields of which they are composed having scarcely any connection on the ground, and it is often impossible for the *patwári* to make a correct record of the areas under different crops. I myself know that in the Hamírpur tahsíl it is often exceedingly difficult, if not impossible, to identify the new maps with the ground. Civil Courts in many cases do not understand what was done, and in spite of the special records referred to in the last paragraph of this report many officials do not know how to ascertain the old numbers of which the new numbers are composed.

97. The final instructions given were to the effect that re-measurements were to be carried out only where absolutely necessary for re-measurements made. assessment purposes. In Kángra tahsíl there was no re-measurement, and in Dehra the only parts surveyed were the Guler and Dáda Síba jágírs, which were regularly settled for the first time. In Chhotta and Bara Bangabal of Pálampur tahsíl new maps were prepared and a more complete record made field by field instead of by ploughs or blocks of cultivation. This was necessary, not only for the field inspection, but also because in former years the cultivation in these ploughs used to be divided year by year by lot and the revenue was paid by ancestral shares, but the annual partition has fallen into disuse and the revenue is now paid according to the area held by each of the sharers. Thirty-eight *tikás* of the same tahsíl were re-measured, partly because the fields had been much subdivided and the old maps were unsatisfactory, and partly because in some cases the old measurement was done

*telewár* and not *kishtwár*. In Núrpur the only re-measurements were on the river Beás where in talukás Rudaura and Khairán eleven villages were wholly and fifteen were partially re-surveyed. In Hamírpur tahsíl the Nádaun jágír was measured for the first time.

In the four *tappás* of the Rájgíri taluka of this tahsíl there are 95 *tikás*. Thirty-three of these were fully measured and mapped in Mr. Lyall's settlement, but in 62 *tikás*, the measurement was carried out *telewár* or *phogluwár* as explained in paragraph 177 of Mr. Lyall's Report for *sirs* in Kulu, that is, the area of a block of cultivation and not of each field was measured, and small strips of waste between fields were considered as part of the cultivated area. At the present settlement there was again no measurement of the separate fields in these 62 *tikás*. Their area was worked out by appraisement from the quantity of seed that the zamíudárs said was used, 16 sérs (=one maund *kachha*) of wheat seed being considered as the standard quantity for a *ghumáo*. For occupied waste the amount of seed that would have been required if the land had been cultivated was in the same way taken as the measure. Of course the result is anything but trustworthy. The system of seed measurement (*bhír-patha*) was condemned for Kulu, and it should not have been used in Kánpur. I am afraid that the *báchh* has suffered much from the bad record. In Mr. Lyall's settlement the distribution was here made by shares, but in the recent assessment by possession, and there were numerous complaints of unfairness; but without proper measurements nothing was or could be done to remedy the objections. To show how hap-hazard the *báchh* must have been I give the areas of cultivation at the revised settlement and in the last assessment—

Tappa.	Cultivated area in 1870.	Cultivated area in 1892.	
		Acres.	Acres.
Jangal ...	4,161	2,510	
Bír Bagehra ...	2,987	2,685	
Lagwalti...	8,178	6,110	
Sapáhl ...	3,504	1,883	
Total ...	18,830	13,188	

Bír Bagehra consists almost entirely of *tikás* that were measured field by field at the revised settlement, in only three *tikás* of that *tappa* was the seed measure used; and the difference in the area at the two periods is comparatively small. In the other cases it is enormous. Mr. O'Brien remarked in paragraph 15 of the Hamírpur Assessment Report that the difference was due partly to misclassification at Mr. Lyall's settlement as the system of measurement necessarily ignored the small patches of waste mixed up with the cultivation, and partly to the want of proper records, but he could not account for the whole. He was, however, under the impression that the cultivation had now been measured and that the correct areas had now been ascertained. I have thought it necessary to refer to this matter here at some length, so that these 62 *tikás* may not be again overlooked. They lie in a very inaccessible part of the country not much visited by officials. The Hamírpur tahsíl is unfortunate in having been the last tahsíl in Mr. O'Brien's settlement as it was the last in Mr. Lyall's. I have elsewhere proposed (see paragraph 102) that the measurement of these *tikás* should be gradually carried out, and if the present distribution of the revenue is found to be very unequal, a re-distribution should be made in accordance with the new records.

98. Various systems of measurement have been followed. In the flat *tikás* of Nádaun and Guler and in the riverain villages of Núrpur tahsíl the square system was used, in Dáda Síba area and in parts of Nádaun triangles were formed with the assistance of the traverse points and plotted sheets of the Survey Department,

and this system was also used in some *tikás* of the Pálampur tahsíl. In Bangahal the old *chau-menda* measurement or measurement of the four sides was adhered to. The linear unit of measurement generally used in the revised settlement was  $57\frac{1}{2}$  inches which constituted a karam and gave a ghumáo of 3,673.6 square yards. A short time before the recent settlement began the Financial Commissioner directed that in the five tahsíls of Kángra Proper the linear unit should be increased to 59.03 inches, so that a kanál ( $2\frac{1}{8}$  ghumáos) should be exactly one-tenth of an acre. This order was probably passed on the understanding that the whole district would be re-measured; but it was ultimately decided that measurements should be made only where absolutely necessary for assessment purposes. On this the Collector pointed out the confusion and inconvenience of having two chains and two units of area, especially where some *tikás* of a village had been re-measured with the new karam of 59.03 inches, while the other *tikás* of the same village remained according to the old  $57\frac{1}{2}$ -inch karam. Upon this the order was cancelled, and whenever measurements were made a *karam* of  $57\frac{1}{2}$  inches was used. The measures of area therefore that were used in Kángra Proper were—

$$\begin{aligned} 1 \text{ square karam} &= 1 \text{ sarsáhi}, \\ 9 \text{ sarsáhis} &= 1 \text{ marlá} = 22.96 \text{ square yards} = .005 \text{ acre}, \\ 20 \text{ marlás} &= 1 \text{ kanál} = 459.2 \text{ " } \quad \text{ " } = .095 \text{ " } \\ 8 \text{ kanáls} &= 1 \text{ ghumáo} = 3,674 \text{ " } \quad \text{ " } = .759 \text{ " } \end{aligned}$$

For small areas  $10\frac{1}{2}$  kanáls may be taken as equal to an acre, and for large areas 10.54 kanál.

These measures prevail only in Kángra Proper and not in Kulu, and this is the reason why it seemed necessary to draw attention to the subject in this report. In Kulu the only local measure was based on the quantity of seed (*bhár-patha*), and that had of necessity to be changed, and the linear unit selected was a karam of 56 inches, giving the following square measures:—

$$\begin{aligned} 1 \text{ square karam} &= 1 \text{ biswánsi}, \\ 20 \text{ biswánsis} &= 1 \text{ biswa} = 48.4 \text{ square yards} = .01 \text{ acre}, \\ 20 \text{ biswás} &= 1 \text{ bigha} = 968 \text{ " } \quad \text{ " } = .2 \text{ " } \end{aligned}$$

So that in the Kulu subdivision the bigha is exactly one-fifth and the biswa exactly one hundredth part of an acre. This measure is very convenient for the calculation of the dues on the cultivation of opium which is largely produced in Kulu.

99. I said the unit of measurement generally used in the revised settlement of 1866–69 was the  $57\frac{1}{2}$ -inch karam, but it has been found that chains of three different lengths were in use, giving ghumáos of different areas, and unfortunately these ghumáos have been treated as the same. This fact did not come to the front in the course of the recent settlement, otherwise the villages concerned would certainly have been re-measured, and it is referred to here that it may not be lost sight of in future. In the whole villages of Bhawarna and Punar and in *tikás* Tánda, Chandra and Sarálu of Holta the karam was 66 inches. In Latwála of Pálampur tahsíl, Thora-Bhalun and Hatli (Fatehpur) of Núrpur tahsíl, and in Habrol, Gutiálta, Sahaur-Bála, Tiri, Kariána, Bohan and Amb of Dehra tahsíl, the karam was 60 inches long. In other villages the ordinary linear unit of  $57\frac{1}{2}$  inches was used. No doubt it would be easy enough to convert on paper the present ghumáos into ghumáos of the usual standard, but the people would not understand what was being done, more especially as they will be shown in each as being in possession of a larger area than they at present believe they have. It is not at all unlikely that in other villages besides those mentioned the karam used is not of the standard length.

100. This is a convenient place to give a measure of capacity common in Pálampur and Kángra, which is used principally for the crops grown on irrigated land, *viz.*, rice and wheat, and without a knowledge of which it is impossible to understand land cases in that tract, and the various dues to be paid from the common produce before it is divided.

Measure of capacity used in Pálampur and Kángra, which is used principally for the crops grown on irrigated land, *viz.*, rice and wheat, and

A *parke* is really a handful. A *sarinu* is a sér *khám* of husked rice.—

2 parhes	= 1 <i>sarinu</i> .
2 <i>sarinúe</i>	= 1 <i>chiháu</i> .
2 <i>chiháu</i>	= 1 <i>path</i> .
2 <i>paths</i>	= 1 <i>thimbí</i> .
8 <i>thimbís</i>	= 1 <i>dharún</i> .
6 <i>dharúus</i>	= 1 <i>topa</i> .

A *topa* or 48 *thimbís* weighs 3 maunds of unhusked, 4 maunds of husked rice, 3 maunds 24 sérds of wheat and 3 maunds of barley. The *topa* is sometimes taken at 50 *thimbís*. The area of land is often measured by the quantity of seed required, e. g., a *ghumáo* of rice land is 12 *thimbís* or 30 sérds of seed, and of wheat land, 6 *thimbís* or from 16 to 18 sérds of seed.

101. In the measurement of the *jágírs* and other tracts Mr. O'Brien

Assistance in measurement given by Survey Department did not receive that assistance from the Survey Department which it was at first intended he should receive.

For this the Department was not to blame, for the whole scheme of re-measurement was upset and the programme laid out by Colonel Wace was changed. It was also unfortunate that the settlement and the survey were going on simultaneously for the *lambardárs* and the *patwáris* could not attend to both duties. Up to April 1888 the Survey Department was proceeding on the understanding that the whole district was to be re-measured and that plotted sheets for the whole area on a scale of 27 $\frac{5}{8}$  inches to the mile or 40 *kadams* of  $57\frac{1}{2}$  inches to the inch were required. It was then pointed out by Mr. O'Brien that field measurements were to be made only in those tracts where they were absolutely necessary for assessment purposes, and he explained that the only parts where measurements were absolutely necessary were the *jágírs* of Nádaun, Síba and Guler and in Chota and Bara Bangahal, and it was only for these parts that he wanted plotted sheets. He asked that the survey should proceed at once in these tracts otherwise the settlement operations would be impeded, or the plotted sheets would not be in time to form the basis of his field measurements. Mr. O'Brien specially urged that the plotted sheets, to be of real use to him, should be prepared by *tikás* and show the boundaries and trijunction points of *tikás*, and the limits of the demarcated forests and cultivation.

It was decided that the plotted sheets should show nothing but traverse points, trijunction pillars of *mauzás* and *tikás* and other suitable fixed points, but that they would not contain any survey of intermediate boundaries or any details of cultivation, operations should be started at once in the three *jágírs* and the sheets supplied as speedily as possible. It was not found possible for the Survey Department to give the areas by *tikás* which Mr. O'Brien had asked for and expected. That would have involved the survey of the *tika* boundaries and much additional expense. The plotted sheets for Guler were received in the end of 1889 at a time when the *patwáris*' survey of that *jágir* was so advanced that it could be completed without them. In this *jágir* the sheets were not so necessary as it is mostly flat and the *patwáris* could work on the square system. But the survey sheets were more required in Síba and Nádaun which are very hilly and broken and difficult to survey and where the areas of waste are large. The Nádaun measurements began in April 1888 and were finished in October 1891 and the plots were supplied in the course of 1890. So the Síba measurements began in April 1889 and ended in July 1891, and the plots were supplied in the end of 1890 and beginning of 1891. The *patwáris* did the field survey of Bara and Chota Bangahal without any plotted sheets. Mr. O'Brien considered that their survey was sufficiently accurate for assessment purposes in a country which is so inhospitable and where the land revenue is light and small in amount. Though, therefore, the settlement did not derive so much benefit from the survey operations as was at first expected, still in all cases where the plotted sheets were available they were found very useful, especially in the broken hilly country. But the assistance was very far short of what was

originally contemplated, for Colonel Wace understood that the patwáris would be relieved from the necessity of surveying more than cultivated lands and grass fields.

102. The records would have been of a much more trustworthy character

Re-measurement still had there been a re-measurement done at the same time necessary in certain cases. as the consolidation of field numbers, and I believe that the new records would have shown a considerable increase in cultivation at least in villages with many hamlets scattered through the waste. That there was a large extension of cultivation in such villages I am certain from the large number of cases that come up of illicit breaking up of waste land. The gradual but constant encroachment on the waste, referred to by Sir James Lyall in his remarks on the extension of cultivation (see paragraph 21 of this report) has not been brought to record, and the old areas stand as at the revised settlement. The *báchh* would certainly have been much better done if there had been a re-measurement, for the extension of cultivation is almost always in favour of the big landowners. It is too late now to think of any general re-measurement of the district, and there are many *tikás* in which it is not necessary, but in my opinion there is no reason why a very gradual measurement should not be made of the villages referred to in paragraph 49 where the linear standard does not correspond with that now in use, and of the 62 *tikás* in Rájgíri taluka of Hamírpur which have never yet been measured (see paragraph 97). The subdivision of villages into *tikás* helps us in this matter, as it should be possible to finish a *tika* in a winter, the areas not being large. The *tikás* in other villages where the existing maps and records are most imperfect may gradually be undertaken. In short my proposal is not to attempt any general re-measurement or return to the old numbers, but gradually to measure and map as far as the establishment will admit the *tikás* where there is reason to believe that the existing records are most defective. This proposal has recently been approved by the Director of Land Records, and it is specially referred to here in order that the effort may be continuous, for without such effort the result will be inappreciable. Another work to be done at the same time or sooner if possible, is the preparation of a new list of survey numbers showing what numbers were and what numbers were not included in the *báchh* of 1866-69. The trees on waste *khárij-as-báchh* at that time belonged to the Government, even though in the recent settlement the land has been included in the *lúchh*. This matter was fully discussed in the Forest settlement. Questions frequently arise whether waste was assessed or not, and reference has to be made to the records of Mr. Lyall's settlement, and it is often with considerable difficulty that the information is found. It will sometimes be found that the trees on part of a number belong to Government and on part to the land-owners; this is the result of the consolidation which did not take such matters into consideration. In such and in similar cases new numbers should be made and the large irregular fields now shown as one number should be broken up and the old numbers restored if necessary.

Contents of the standing record.

103. The revised record of rights or the standing record consists of the following papers :—

- (1). A preliminary proceeding for each village setting forth the notifications under which the record was revised and the revenue re-assessed, and the Collector by whom the operations were carried out, and a list of the documents comprised in the record.
- (2). A detailed *jamabandi* for each *tika* of the village, and attached to it are—
  - (a) the order of the Collector fixing the assessment of the *tika* and the period of the settlement;
  - (b) the order of the Collector determining the mode of distribution of the revenue over the holdings of the *tika*.
- (3) A yearly total of transfers for the whole village with details by *tikás*.

- (4) Yearly register of area for the whole village with details by *tikás*.
- (5) Yearly revenue account for the whole village with details by *tikás*.
- (6). List of revenue assignments and pensions.
- (7). Statement of customs respecting rights and liabilities ; one for the whole village.
- (8). List of cesses for the village.
- (9). Genealogical table for each *tika*.
- (10). Field map of each *tika*.

The mutation registers were bound up with the *jamabandís* in tahsíl Kánpur which was first assessed, but in other tahsíls they are bound separately and in some cases the registers of several villages are bound together. In the detailed *jamabandi*, filed as part of the standing record, the field numbers are those brought out in the consolidation (number *ishtimáli*), but an extra column was added, showing the old numbers, that is, the numbers of the revised settlement out of which the consolidated number was formed.

There is practically no irrigation from wells, and in regard to the *kuhls* or private irrigation channels, the entries in the records prepared by Mr. Lyall were declared in force for old water-courses, and a record of existing customs on new water-courses, where there are any, has been prepared under paragraph 5 of the *Wájib-ul-arz*.

104. Before the recent settlement note-books were kept in the tahsíls Special note-books for and by the patwáris for villages, and no details were given this district. for *tikás*. Mr. O'Brien urged that this was a waste of time and labour as a village or *tappa* could never be the unit of assessment, and that only a *tika* note-book as opposed to a village note-book could supply the information required for a re-assessment. The Financial Commissioner agreed that it was necessary for the patwáris to keep *tika* note-books with village totals, but that in the tahsíls counterparts by *tikás* were unnecessary, and that it would be sufficient to fill in books the *tikawár* abstracts with village totals received from the patwáris under Rules 40, 50, 62 and 63. The patwáris have got their note-books in the form of a native *bahi* and the statements are recorded in a manner devised, I believe, by Colonel Wace and Mr. C. Rivaz. In tahsíls the abstract statements are put into file books, kept *minzawár*, with space for 12 years for each statement. The office káningos keep note-books only for the *talukás* (which correspond to assessment circles) and for the whole tahsíl. Thus this district differs considerably from districts in the plains in the matter of village records. It was not possible without a considerable increase in the establishment to maintain *tika* note-books as the number of *tikás* is over six thousand. No English translations are at present made.

105. The record of rights was prepared in the *jágírs* of Nádaun, Guler and Dáda Siba in accordance with Notification No. 26, dated 26th January 1888, under Section 32 of the Land Revenue Act; under the present Act the sanction of the Government is not required for such a record, but any person who thinks himself aggrieved by any entry in the record may institute a suit for a declaration of his right. The first great question for decision was the status of the Rája and of the people with respect to the land, which was actually in the occupancy of the people, and next with respect to the land not in their actual occupancy, but over which they were accustomed to graze and to do certain other acts. Mr. O'Brien decided that the Rája was superior proprietor or *talukdár* of all lands in his *jágír*, and the occupants were constituted inferior proprietors of their own holdings and of the waste land comprised within their holdings as will be shown hereafter; he never fully considered the rights in waste outside holdings. The general grounds for the decision may be gathered from Mr. Lyall's Settlement Report and from the orders on the Siba Summary Settlement Report, but I quote at length the principles on which Mr. O'Brien determined the status of occupants of land, not merely because it is necessary to

explain here the action that he took, but also in order that the Civil Courts which have to decide questions as to proprietary rights may know on what grounds the present record was based.

In Guler. Mr. O'Brien wrote as follows in the assessment report of Guler which was the first submitted :—

" In places where the possession of the original occupants of land was undisturbed they were classed as inferior proprietors, but where they had acquired their first possession on land already cultivated at a recent date, or where the cultivators had admitted the Rája's title to proprietorship during the preparation and attestation of the *jama-bandis*, they were recorded as tenants with and without right of occupancy as the circumstances of the case suggested. It was found that the Rája had taken from the ryots their old *pattás* granted to them by the previous Rájás on the pretence that Government had directed that the *pattás* held by zamindárs should be exchanged for others on stamped paper. In place of the *pattás* which were thus taken away, *pattás* for five years only were given to the old occupants of good and irrigated lands. At the same time many had been allowed to retain the old *pattás* for unirrigated and inferior lands which the Rája's officials frankly admitted to be their property. This change of *pattás* occurred at the time the ryots in the adjacent *jágir* of Dáda Siba were being recorded as inferior proprietors at the summary settlement of that *jágir* by Mr. Anderson. The Rája's officials did change the *pattás* as a safeguard against such entries being made in the settlement of this *jágir*. In deciding the question the old possession was respected. Where the ryots had been proved to be in undisturbed possession of the soil they have been recorded as inferior proprietors. In cases where the Rája issued *pattás* to kárdárs, *ipradas* and *máfidárs* or his servants, either assigning the revenue of a special holding or of a special village, or leasing out the collection of the share of the revenue or produce for a certain specified sum in grain or cash to a money-lender, while the arrangement for the cultivation of the soil was not in the hands of the contractor or lessee, the actual occupants of the land have been recorded as inferior proprietors without regard to the Rája's lease for the collection of revenue which really had nothing to do with the proprietary rights in the soil. In places where the ryots had come into possession of a holding by breaking up land on a *patta* granted by the Rája, such facts were considered to have conferred a proprietary right on the holder, whether of old standing or not, for every ryot in the *jágirs* had come in possession by *pattás* to break up land from the Rája's, and there was no real difference between the status of the new and the old occupants who had broken up land. The Rája still holds superior as well as inferior proprietorship in the lands yielding at present a rent of about Rs. 4,062 in cash and grain, and he has been recorded as a superior proprietor of the whole of the lands, included in his *jágir*. He offered much resistance and raised many objections to the ryots being recorded as proprietors of the irrigated lands, on the ground that the revenue of these was leased every year to contractors who had the authority to change the tenants or occupants of land and put new men to cultivate or plough the land themselves, but on inquiry it was found that the lessees for the collection of Rája's share of the produce (among whom were chiefly Basant Singh and the Rája's creditors) never exercised such a right, and that each patch of irrigated land was held by ryots of the village on a number of shares or ploughs, and these occupants were never ousted or disturbed from their lands except in one or two instances, and that the lessees only collected the Rája's share of the produce, and if they wanted to join in the cultivation of the soil they could not do so without the sanction of the ryots, and the Rája or his officials could not force these shareholders to include any foreigner in the cultivation of the soil ; such ryots have therefore been recorded as inferior proprietors."

Mr. O'Brien thought that both the Rája of Guler and the people had acquiesced in this settlement of their respective rights, but there has been some litigation, especially in regard to the irrigated land, and the Rája has succeeded in getting some of the inferior proprietors reduced to tenants, and some have been induced to enter into agreements resigning their proprietary rights in the Rája's favour.

The same principles were followed in Nádaun. Long possession with or without a *patta* or lease from the Rája was the test.

In Nádaun. Mr. O'Brien himself visited every *tika* in the *jágir* shortly after the classification of proprietors and tenants, and no complaints being made to him, he claimed great accuracy for the record.

In Siba the principles followed and the decisions recorded at the summary settlement were maintained, but when the Rája contested the correctness of any entries then made the parties were given an opportunity of proving their claims, and the cases were disposed of in accordance with the principles already described. The Rája

had expected that the status of inferior proprietors given at the summary settlement to the occupants of land would be taken away in the regular settlement, but in this he was disappointed.

106. All that Mr. O'Brien wrote in regard to the proprietary rights in land was applicable only to the land actually in the possession of individuals or families, that is, to cultivated land, *kharetar* and *banjar makdúra*. In none of the assessment reports did he discuss the rights in open waste, but after referring to the Forest Settlement Report in which it was proposed that the *jágírdár* Rájás should have the control of breaking up new land from waste, he strongly recommended that in consideration of the high assessment which could be lightened only by extension of cultivation the people should be allowed to break up land without having to pay any extra revenue on such new land until the next settlement. It was not in so many words proposed that land might be broken up without the permission of the Rájás, but that was no doubt Mr. O'Brien's intention. In the Review of the Guler Assessment Report the Financial Commissioner (Mr. Mackworth Young) gave reasons against any departure from the custom prevailing in all the large *jágírs* by which the Rája's permission was necessary to break up waste, and revenue was paid on the new cultivation, but he suggested that the assessment should be made by the Collector. The subject was further discussed by him in the Review of the Nádaun Assessment Report, and he there proposed that the Rája's discretion to give permission should be subject to the condition that obtains in the Lambagrón *jágír* that the Rája may not grant land for cultivation to any person without the consent of the body of landholders of the village. Upon this the Lieutenant-Governor directed that the matter should be further considered, as he understood that the Rájás were full proprietors of the waste, and that we could not compel them to give out land for cultivation if they chose to let it lie waste, nor fix a rent for it. Mr. O'Brien submitted a report from which it appears that he considered the Rájás to be only superior proprietors of the open waste which had been recorded as the common property of the *tikás* and *taypás*. But Sir Dennis Fitzpatrick pointed out that if, as was admitted, the occupants of land derived their title by a *patta* from the Rája, then the Rája must be full proprietor of the waste; and he suggested that an attempt should be made to bring about a compromise the terms of which he suggested, and he directed further consideration and report.

107. The report was submitted by me, and it was urged that the existing record in regard to waste land not included in holdings should be revised. It was pointed out in the case of Dáda Síba that the record by which the village landholders were made inferior proprietors of all the waste was contrary to the orders passed by Mr. Lyall on the very full enquiry made on this point at the summary settlement to the effect that the Rája was proprietor of the open waste, subject, in the case of certain waste, to a kind of preferential right which the peasants had by custom to break up such land as the Rája might wish to bring under cultivation and to thereafter hold the fields so formed on the same tenure as their other fields. The principles enumerated in regard to Dáda Síba applied also to the Nádaun and to part of the Guler waste, and it was therefore recommended that sanction should be granted for a revision of the record in all three *jágírs* and suggestions were made as to how the rights of the Rájás and of the people in regard to "nautor" should be exercised. The Lieutenant-Governor agreed that a *prima facie* case had been made out for holding Mr. O'Brien's entries to be wrong, and that the necessary action should be taken to correct them; but he desired that an effort should be made to get justice done by inducing the parties to submit to some such reasonable compromise as had been before suggested, but if they did not agree then the only thing to be done was to revise the entries. An enquiry was accordingly started by me in person on the spot and I tried to get unanimity in accepting the compromise but failed; with the Rájás themselves it would have been possible to succeed, but very few of the people understood the matter, and they were generally suspicious, and believed that anything accepted by the Rájás must be to their prejudice. It was therefore necessary to put aside the idea of an amicable arrangement and to pass an order; but I had good reason to believe that the people who understood the matter

Revision of Mr. O'Brien's record in regard to waste

would accept it as fair to all parties. The order was passed just as I was submitting this report and it is subject to appeal.

The order is shortly that the Rája is proprietor of waste outside holdings but the zamíndárs are entitled to rights of user over it as heretofore; that the property in trees is unaffected; that the waste may not be broken up without the Rája's permission, but such permission can be given only with the consent of all the inferior proprietors of the *tika*, and must be refused if the rights of user of neighbouring *tikás* are likely to be materially decreased. The Rája must first offer the land to the inferior proprietors of the *tika*, and if one of them takes it he becomes inferior proprietor and liable to pay the revenue and *talukdári* due fixed by the Collector. If none of the inferior proprietors wish to take, the Rája, with the consent of all the inferior proprietors, may give the land to an outsider who will become tenant-at-will and pay the rent agreed upon between him and the Rája. The Rája may not himself appropriate any land except under the same conditions as apply to inferior proprietors. Nor may he impose any closure against rights of user except what now exists or what may be enforced under the Forest Act.

This order is practically the compromise suggested by the Lieutenant-Governor which was based on actual practice, and it puts on record as nearly as possible the indefinite customs that have bound both the Rája and the people. It may be considered that the power given to the inferior proprietors to veto the grant of waste land is too great, but it is necessary under the peculiar circumstances of the district and is in accordance with the record made by Mr. Lyall for the Lambagráon jágír. The Collector will fix the revenue of the land, the *talukdári* due will be at the rate prevailing in the jágír. The full revenue will not be demanded until the fourth year. As a caution it is necessary to mention that the order no way applies to waste included in holdings, that is, to land of which the occupants are inferior proprietors under the revised record. The Financial Commissioner approved of the order in so far as the Nádaun and the Dáda Síba jágírs are concerned; but in regard to Guler he postponed consideration pending the orders of the Government on a general reference as to the ownership of the trees situated in all three jágírs. The Guler case is peculiar as the demarcated forests are partly in *khálsa* and not entirely in jágír villages.

108. The *Wájib-ul-arz* in the jágírs of Nádaun, Dáda Síba and Guler follows very closely—perhaps too closely—the same record *Wájib-ul-arz* in jágírs. for *khálsa* estates. It will have to be redrafted, not merely in regard to the rights in the soil of waste land now disposed of, but also in regard to the rights in trees and other cognate matters in which the Financial Commissioner has already approved of changes. This cannot be done until the orders of Government as to rights in trees have been received, as the status of the Rájás in respect of the forest has hitherto been regarded as that of managers on behalf of the Government and not of proprietors, but should it be held that the Rájás are owners of the trees as well as of the soil, then the position will be materially changed.

109. In 1869 the Lambagráon jágír was consolidated, *khálsa* lands mixed up with the jágír villages being given in exchange of the Lambagráon jágír for an outlying jágír village. As the Rája got in these in 1869. *khálsa* lands only the status of an assignee of the revenue, he holds there a different position from what he has in the old jágír villages of which he is talukdár as well as jágírdár. This difference is sometimes forgotten and it gave a deal of trouble in the assessment, and I therefore refer to the matter here in some detail. The jágír gave up its lands in Kandh Bari which village lies on the main range at a distance from the other jágír villages and it got instead *tikás* Asapuri, Baghera, Sítpur, Dokh, and Chatruhru, Phagurta, also some parts of village Kotla, and a small *chak* in Baura and in Barram.

The revenue of the *khálsa* lands given to the jágír was Rs. 1,552, and of the jágír lands given in exchange only Rs. 1,000. It was arranged therefore that the Rája should pay a sum of Rs. 552 as *nazrana*. The Rája besides getting the revenue in the exchanged lands was to have all the Government forest rights, but not *talukdári* rights. Mr. Lyall had at first intended to take from the jágír the outlying lands in Baijnáth, Ninawán and Daroharú, but the

revenue was at that time paid partly in fixed amounts of grain and partly in cash, and moreover they were almost the only irrigated lands in the *jágir*, and were assigned to provide the *jágirdár*'s ancestors with a supply of rice. The idea of exchanging them was therefore abandoned. It is the assessment of these lands which remained *jágir* and of Kotla village part of which was in 1869 *khálsa* and part *jágir*, which has caused the trouble referred to in paragraph 80. In the recent settlement the *nazarána* paid by the Rája was treated as if it was the *khálsa* revenue of certain *tikás*, and the Rája was called upon to pay the enhanced demand now assessed on these *tikás*. Some *máfis* were also resumed in favour of the Government instead of the Rája. This came to light only recently, and the orders on the reference made have not yet been received.

110. In the course of the settlement and also after it the Rája of Siba put in a claim to superior proprietary rights in tappa Kotla rights in Kotla. on the grounds that since the grant of the *jágir* in 1858, the *jágirdár* had exercised all the rights he held before resumption in 1848, and that the people had admitted the rights. Mr. O'Brien found that the zamíndárs in the whole of Kotla paid grain by appraisement and also *lágis* which may be looked upon as *málikána* dues, but that they had never agreed to the payment of these extra dues which in fact the Rája had been taking by force. At the regular settlement made in 1850, a record of rights was prepared for Kotla and the settlement was made with the actual occupants to the exclusion of the ex-*jágirdár*, who made no claims. The re-grant in 1859 conveyed only the right to the revenue, but at this time the people agreed to resume payment of revenue in kind and the Rája began at once to take the extra cesses as well as the share in kind, and since 1866 at least, the question of the Rája's right to such cesses and to be considered superior proprietor has been under discussion. The issue whether the Rája was entitled to this status was not decided at the revised settlement; but it was then held that the agreement to pay in kind was certainly binding for the term of settlement, and it was perhaps decided that the Rája had no right to the *lágis*. Mr. Lyall in his Secretary's No. 559 S., dated 2nd May 1879, which gives a full account of this case, was not certain that grain payments could be abolished even on the expiry of the regular settlement.

In the records now prepared an entry was made that the Rája is not superior proprietor and is not entitled to any *talukdári* allowance on the revenue of Kotla, and this decision was approved of by the Financial Commissioner and by the Government.

111. All the *jágirdár* Rájás have made requests to me that entries should be made in the *Wájib-ul-arz* that unclaimed land should be oscheat to them as superior proprietors. The subject had also been brought before Mr. O'Brien, and he approved of a proposal made by the Revenue Assistant Commissioner that the record of rights should declare that Rájás had no right to succeed to the lands of persons who left no heirs, but that such lands became the property of the Government. Perhaps Mr. O'Brien changed his mind or he may have thought such an entry was forbidden by Rule 203 (b) (2) under the Land Revenue Act, but, under any circumstances, no such entry was made in the records of any of the *jágirs*. In the case of Lambagráon the old entries have, as already explained, been restored; they are to the effect that in the absence of any heir, near or distant, and of any will, unclaimed land will go to the superior proprietor, and the same rule applies to cases where landowners have disappeared or have failed to pay the revenue and no heir comes forward and claims the land. An entry similar to this was made by the Settlement Officer in the case of the Rúpi Wazíri *jágir* in Kulu. The other Rájás have been informed that probably the custom recorded for Lambagráon exists also in their *jágirs*, but I have made no new entry in their records of rights. There is in this district no village community system, and in the *jágirs* there is no common property. The circumstances differ materially from those of villages in the plains, and the fact that the inferior proprietors acquired their lands by a grant from the Rája and not as members of a community shows that on failure of heirs the land should revert to the superior proprietors; but cases are not very common, and it seemed unnecessary to make an entry in a record already completed. The Civil Courts will probably be guided by the Lambagráon record.

112. The rights in water mills have given rise to considerable dis-

Rights in water mills. cussion, and small though the matter seems, the Rájás have been most pertinacious in asserting their rights. The

changes have not been disposed of quite in the same way in each case. In Lambagráon the old entries have been restored, and the Rája is therefore entitled to the income of water mills on unoccupied waste and the beds of streams. In Nádaun also the Rája gets the rent of water mills on waste not included in private holdings. In Guler such income does not go to the Rája according to the entry in the administration paper, as it was held that this source of income was taken into consideration in the assessment. In Dáda Siba it was at first decided as in Nádaun that the income from mills on private lands should go to the owners and on waste to the Rája, but on a petition presented by the Rája to Government further enquiry was made and it was ultimately decided that the entries on this point in the summary settlement should be restored on the ground that the income from mills on private lands had not been taken into consideration by Mr. O'Brien in framing his assessments. The Rája of Siba is therefore entitled under present order to revenue from mills that were in existence at the recent assessment wherever standing, but not from mills built since the assessment on private lands. This decision is giving rise to considerable dissatisfaction. The income is small, but the Rája will not give it up.

Alienation of land in  
jágirs.

113. Mr. O'Brien made the following remarks in regard to alienations in Nádaun, Guler and Siba:—

"In the hills, Rájás, whether only jágirdárs as in this district, or possessing political powers as in Mandi and Chamba, claim the ownership of Nádaun. the land and assert that the cultivators have no power of selling or of mortgaging their land. In the jágir of Guler and Dáda Siba, already reported on as settled for the first time, the Rájás have been fairly successful in preventing the zamindárs from alienating their land.

"Thus in Dáda Siba only 162 acres were sold, fetching Rs. 2,623. In Nádaun 1,709 acres were sold for Rs. 39,684. That land is alienated with more facility in Nádaun is to be attributed to Rája Jodhbir Chand and Rája Amar Chand being more benevolent to zamindárs than the Rájás of the other jágirs, rather than to the zamindárs being more able to assert their rights.

"In Nádaun 1,473 acres of the cultivated area has been mortgaged as against 65 in Guler and 466 in Dáda Siba.

"In Guler no sales of land were recorded during the measurements, but 58 acres, of which 56 acres were cultivated, were recorded as mortgaged for Guler. Rs. 1,532, and of this none was transferred to the money-lending classes. Since measurements some sales and mortgages have taken place which have not yet been brought on the record. The Rája's mode of collections by appraisement of standing crops *rurhu* (fixed amount of grain), *batúi* or a share in kind, was a great obstacle to persons desiring to invest money in land.

"The numerous cesses which were also arbitrarily fixed deterred persons from lending money on mortgage in Guler.

"No sales have taken place in Kotla, but since the summary settlement about 108 Dáda Siba. per cent. of the cultivated area has been alienated in the rest of the jágir for bad harvests and expenses in marriages or price of women. The fact of there being so few sales is due to the land being of an inferior quality and the revenue being high, or in places payable by appraisement. No capitalist would care to invest money on such land with uncertain profit and produce. Besides, until the summary settlement and the present settlement operations began, the titles to land were very doubtful. The Rája was in the habit of taking land from one person and giving it to another."

114. I doubt very much whether the poverty of the soil or the high revenue, or even the mode of collecting the revenue is the real explanation of the smallness of the area sold and mortgaged, though no doubt a high revenue, especially if it is collected in *kiud*, is an important factor in preventing alienations. The following statement compares the area sold and mortgaged in the jágirs and in the neighbouring *khálsá* tracts:—

Name of tract.	Tahsíl.	PERCENTAGE OF CULTIVATED AREA.	
		Mortgaged.	Sold.
JAGIR.			
Lambagráoन jágír	Pálampur	14.03	3.07
Do. do.	Hamírpur	9.13	1.80
Síba jágír	Dehra	5.00	1.08
Kotla, part of Síba	Do.	2.00	...
Guler jágír	Do.	0.62	...
Nádaun jágír	Hamírpur	14.79	4.92
KHALSA.			
Taluka Rájgíri	Pálampur	10.81	3.79
Hamírpur tahsíl	Hamírpur	9.92	3.00
Dehra tahsíl	Dehra	14.31	4.86

If the poverty of the soil, the high demand and abuses in collection would prevent alienations, then in Lambagráoñ jágír the alienations should have been very few. Mr. O'Brien pointed out that in this jágír the soil was poor, crops depended almost entirely on rainfall, the revenue was taken in kind, and its collection was attended by many abuses, the zamíndárs had to give *begár* and grazing dues were also levied on them. These disadvantages made the land of less value, and it fetched less when sold and mortgaged, but they did not prevent alienations. On the contrary, while the sales in the Pálampur, part of this jágír, are little below the rest of the taluka, the mortgages are much greater, and in the Hamírpur part the alienations are almost up to the average of the tahsíl.

In Guler transfers were practically unknown before the settlement: so in Dáda Síba it was found in the summary settlement that sales were unknown and mortgages unrecognized. In these two jágírs the Rájás for various reasons continued long after our rule to claim full proprietary rights in the land, and they were fairly successful in preventing alienations. The Rájas of Nádaun have always been very amenable to the advice of District Officers and inclined to allow in their jágír the customs prevailing in the neighbouring *khálsa* villages. They had for many years before the settlement a cash assessment of the revenue and transfers were allowed. Any comparison between Nádaun on the one hand and Guler and Síba on the other is to some extent vitiated by the fact that scattered through the Nádaun jágír are 117 *tikás* (out of 418) which are wholly or partly *khálsa*, and in which the zamíndárs are full proprietors and have had the right of alienation since Mr. Barnes' settlement.

In my opinion the reason why transfers were so few in Guler and Síba was that "the hereditary right in the soil was not saleable. The people never considered their tenure of that absolute and perfect character that they could transfer it finally to another." This was what Mr. Barnes wrote almost half a century ago, and what was then true of the whole district continued true of the jágírs until more recent times. In the record of rights of Síba, Guler and Nádaun now prepared, an entry has been made that the inferior proprietors have full power of sale and mortgage. It would in my opinion have been better for the people, and what is more to the point, it would have been more in accordance with the actual facts and the rights of the case if the record had been merely to the effect that there was no custom of sale or of mortgage. Mr. Lyall was of opinion that the questions whether and to what extent a sub-proprietor could alienate his rights might be left to be decided by the Courts when they arose, but he imagined that the Courts would decide that the Rájás could not prevent alienation. The new records have however decided these questions, and I cannot but say that it is a matter for regret that we should have encouraged by an unnecessary record that very transfer of land in the jágírs which we deprecate so much elsewhere.

115. By Notifications Nos. 63, 64 and 65 dated 21st March 1892, powers <sup>Special civil powers to</sup> were conferred on the Collector and the Revenue Assistant Collector in *jágírs*. Commissioner to try land suits in the *jágírs* of Síba and Nádaw and Guler, as Civil Courts under Chapter XI of the Land Revenue Act. Mr. O'Brien was of opinion that it was very important that these powers should be given, as the settlement was being made for the first time and Civil Courts are not sufficiently acquainted with what the Settlement Officers have done, and great expense is caused to parties in fighting over again in Civil Courts matters that had been decided after careful enquiry on the spot by Settlement officials. These notifications were cancelled in April 1894 as the Lieutenant-Governor considered it anomalous to let the Settlement Officer hear a civil suit to test the corrections of his own opinion formed after full investigation of the case as Collector.



## CHAPTER VI.

### MISCELLANEOUS.

116. In the regular settlement there was no distribution made of the internal distribution or demand then fixed. Mr. Barnes had the old *jamabandis* *báchh*, giving the *purána mol* or demand on each holding; and when he granted a reduction, it was generally distributed ratably to each holding. At the revised settlement Mr. Lyall found the people averse to any new distribution either among the *tikás* or among the single holdings. Mr. O'Brien thought it might be possible to follow the course taken by Mr. Barnes; and, in the report of the assessment of the Pálam taluka of the Kángra tahsíl, which was the first submitted, finding that he could increase the revenue by just an anna in the rupee, he considered whether it would not be possible to raise the existing revenue of each holding to that extent without a new distribution. The *jama* assessed by Mr Barnes was based on the *purána mol* or rent paid in kind during and prior to the Sikh rule. It was not based on any *talukawd* or other incidence; the grain paid by each holding was converted into cash, and the *jama* of the hamlet or village was merely the sum total of the *jamás* of the holdings. But however fair this old *jama* may have been (and the people still appeal to it), it could hardly after forty years be made the measure of the existing capabilities of the various holdings. Mr. O'Brien pointed out that land that then bore a crop once in two or three years now bears a crop every year; that cultivation has much improved; *máfis* used not to be assessed with any fairness; and I may add that it is notorious that favourites were treated with great leniency in assessment. He therefore decided against maintaining the *purána mol*, irrespective of existing conditions and therefore against distributing the proposed increase ratably which he noted would result in this that those who already paid too high a *jama* would have to pay still more, and those who paid too little would continue to pay too little.

117. Mr. O'Brien saw at the very commencement of operations that an amalgamation of the assessment and the *báchh* would save expenditure to Government and trouble to the people, and would secure greater accuracy in the distribution (*see* Bargráon Assessment Report, paragraph 8).

Again in the Hamírpur Report which was the last submitted he wrote that he might have spent a little more time in each village and not only assessed the revenue but distributed it over holdings and settled disputes on the spot. This he most justly said was the only satisfactory course where the assessable value differs so greatly in every hamlet and even in every holding. The *tika* assessment which was done by Mr. O'Brien on the spot is in my opinion eminently fair, but as he himself felt the same cannot be said of the *báchh* or internal distribution of the *tika jama*. The landowners were left to choose their own mode of distribution, but there are indications that in some cases at least pressure was put upon them to adopt methods that were more convenient for the officials concerned than fair to the people themselves. The following statement shows the modes finally adopted for each tahsíl:—

Tahsíl.		Number of villages	Number of <i>tikás</i>	All-round rate.	Rate on soil.	Division by share.	No. distribution necessary.
Kángra	...	134	1,028	Rs. 505	Rs. 523	Rs. :	:
Pálampur	...	113	1,152	588	548	Rs. :	16
Núrpur	...	193	847	30	807	Rs. :	10
Dehra	...	145	1,241	48	1,172	Rs. :	21
Hamírpur	...	64	983	219	1,407	Rs. 236	121
Total		651	6,251	1,390	4,457	Rs. 236	168

It will be seen that all-round rates were used most largely in the Kângra and Pâlampur tahsils which are perhaps more unfit for this mode of *bâchh* even than the other tahsils. I believe that the all-round rate was adopted principally in the *taluka*'s first settlement. It was an easy method, and saved officials much trouble, but an order was issued that it was not to be pressed on the people, as in most cases it was unsuitable. Even the *kismâr bâchh* with all its dangers was better in this district than a *bâchh* based on an all-round rate. In Dehra and Nûrpur the *tikâs* which adopted the all-round rate were very few; they were disposed of before Hamîrpur. In this latter tahsîl which came at the end of the settlement there are not a few cases of the all-round rate, and in this tahsîl alone is found a distribution based on sharos. This latter mode of distribution is almost confined to the Kutlehr *taluka*.

The reason probably is that in this tract the tenures approach more nearly to those of the plains, and the *tikâs* are held by the descendants of the original settlers with the admixture of extraneous castes and families, whereas in other parts such an admixture is the rule (see paragraph 25 of Lyall's Settlement Report).

A somewhat extensive enquiry into the results of the *bâchh* has led me to the conclusion that it was left too much to subordinates, some of whom looked only to the ease with which the work might be done. This was probably inevitable with 6,251 units of assessment and a small settlement staff and the ordinary duties of the district to be done in addition to the assessment (see paragraph 118). In regard to waste land, it was pointed out to the people that it should not be included in the *bâchh* in the expectation that the rights of Government in the trees would thereby lapse. It was suggested that occupied waste should be included in the *bâchh* and assessed at one aana on *banjar makbûra* and two annas on *garhu kharetar* per *ghumâo*. If the proprietors wished to put an assessment on waste and *ban-khuretar* (temporary hay-fields) they were allowed to do so, but the trees remained the property of Government as before. These suggestions were generally accepted, but more or less in all tahsils, and to a large extent in Dohra, waste has been included in the *bâchh*. The *Wâjih-ul-ârz* and the Forest settlement record both provide for the Government rights in the trees. Cultivated land that was common to the *tika* or village was excluded from the *bâchh*. Probably the co-sharers thought if it was assessed to revenue, it would become the property of the occupants.

It is a pity this was done, as it is possible that the occupants now pay nothing for it, not even revenue, and such occupants are not unfrequently the big *zamîndârs* who have already encroached on the common waste. Again, if revenue or rent is paid by the occupants, as likely as not, it is kept by the *lambardâr* who collects all such common income, and rarely distributes it among the co-sharers.

119. In the *tikâs* in which a *sarsari bâchh* was carried out land has been shown under the classes (1) *nahri*, (2) *bârâni*, (3) *bahand banjar*, (4) *kharetar*, (5) *banjar judid*, (6) *banjar kadim*, but when the *bâchh* was by soil rates, then the classification upon which the *bâchh* was made is given in the detailed *jambândi* in which the new *jama* was first shown, e.g., *nahri*, 1st class, 2nd class, *bârâni defasli*, *bârâni ekfasli*, *chaliuli*, *bâriahi*, &c.

The soil classification was done largely when the consolidation of field numbers was in progress: and in all cases it should have been done on the spot in the presence of the people. In this district it would have been difficult for even the most conscientious official to please every body. The people themselves cannot always agree on the classification, for there is often a margin which is not in any of the classes. The *patwâris* get the credit of having made most of the mistakes. As there was no general re-measurement the classification was necessarily subject to much less supervision than in other cases, and, moreover, as it was done before the people understood its full object, they probably did not trouble themselves much as to its correctness and allowed superior land to be classed as inferior.

For instance, in the Kângra tahsîl which was the first assessed, all irrigated land was considered of equal value, but to make a fair distribution of

revenue on irrigated land, there should be at least three classes, (a) *nahri purána páni*, land irrigated from a perennial stream and entitled to water all the year round; (b) *uaya páni*, land that gets water only in turn and not always enough; (c) *rorhu páni*, land irrigated from a flood stream and getting water only occasionally.

These classes recognized by the people and bearing different values, and I have quoted them to show how very difficult a fair *báchh* must be.

120. In the course of the distribution an opportunity was given to continue on the part of the village community some revenue assignments to village *kmáins* and local shrines (Gugas and Pírs, &c.). But advantage was not taken of the opportunity, probably because the matter was not fully explained to the people. The continuance of a few small grants to village menials would have materially assisted in disposing of the difficulties arising from the total abolition of *begár* and the extra burden thrown on the rest of the community would have been insignificant, and would have been gladly borne in consideration of the convenience of the arrangement and the freedom from petty worries.

121. Sir James Lyall laid down in 1890 the following principles for the special orders as to treatment of the *lahri-básis* described in paragraph 70 of his Settlement Report. He directed that the *máfis* of class I, viz., those held by Brahmins, Rájpúts and Mahájans should be released again for the term of settlement except—

- (1) where they had passed away entirely from the family of the original grantees by sale or otherwise, or
- (2) where they had entirely lost the character of *lahri-básis* and are now ordinary cultivated agricultural land not specially attached to a house or homestead;

but even when the second exception applied, the grants should not always be resumed, for instance, in cases where the plot was held by a family of Rájpúts or Brahmins of good caste to whom it was granted revenue-free by the Rájás more as *bási máfi* than as *lahri-bási* (see paragraph 37 of Mr. Lyall's Settlement Report).

As regards *lahri-básis* coming under class II, that is, those held by artizan or labouring families, Sir James Lyall considered that where the cultivated area was simply a small plot of garden land attached to a house, it should be disregarded and lumped with the area of the site as part of the *minhái* or unassessed area, and that in other cases of this class the cultivated area should be thrown into the *málguzári rakba* and be assessed in the *báchh* unless the khewatdárs wished to exclude it. It was pointed out that as *begár* had been abolished there was no special reason for continuing the exemption from assessment of these holdings which were commonly granted originally in connection with *begár* service to the Rájás in the way of supplying wood and grass. In carrying out these orders Mr. O'Brien included in the register of grants to be continued many of the small patches attached to houses occupied by artizans and others of low caste. The Financial Commissioner pointed out that these grants might have been included in the village site as *minhái* and left unassessed; but as the holders probably valued the distinction of having a separately recorded *máfi*, he recommended that these grants to artizans should be sanctioned, and sanction was accorded. The grants of Khatrís and Súds had been resumed on the grounds that the orders of Sir James Lyall covered the continuance of the *lahri-básis* only to Brahmins, Rájpúts, and Mahájans, but on a petition presented to the Lieutenant-Governor the rule applicable to Mahájans was extended to Khatrís and Súds and the resumed *lahri-básis* were re-granted for the term of settlement. The usual enquiries were made in regard to all other *máfis*, and they were resumed where necessary.

In directing the resumption of the small revenue-free grants held by artizans and labouring families, which had originally been granted in consideration in *begár* service to be rendered to the Rájás, Sir James Lyall suggested that, in connection with the recent abolition of *begár* and the difficulties consequently felt in Kéngra and Kulu in supplying wood, grass, &c. for travellers at encamping-grounds, arrangements should be made in the settlement to assign

*ináms* of the revenue of from Rs. 24 to Rs. 48 per annum according to the character of the encamping ground. These *ináms* were to be enjoyed by a man of the village who would contract to keep stores of grass and wood, and to provide milk and other necessaries, to be sold to travellers at rates fixed from time to time by the Deputy Commissioner. Sir James Lyall considered that some such assistance by way of *ináms* from the State was necessary and justifiable in a hill district like Kángra; and such *ináms* have been granted in Kángra (see paragraph 127).

122. Many of the máfidárs had been receiving their dues in kind

Conversion of máfidárs since the first settlement; some of them had been shown revenue from kind to cash. as owners, some as superior proprietors and some only as mere máfidárs. In the case of owners no changes were necessary, but in other cases a general order was given that the settlement should be made in cash with the owners, and the máfidárs are now receiving only the revenue assigned. It is very probable that where the máfidár was shown as superior proprietor he has not got any *talukdári* allowance, as the procedure laid down in Section 146 of the Land Revenue Act was not always observed. In the case of some larger máfidárs or jágírdárs the conversion of revenue in kind into revenue in cash has caused great loss, for instance, in the case of the Chaudhri of Andaura. Sir James Lyall in the memorandum of matters discussed at Dharmásala in March 1890, expressed the view that many of these old máfidárs deserved consideration and should receive it, and at that time Mr. O'Brien thought that in many cases the existing settlement might be maintained. But difficulties were found, and all revenue in kind was converted into revenue in cash, though under Section 48 (2) of the Land Revenue Act revenue may be taken in kind or in cash as the Local Government may direct.

123. A point that may occasionally give trouble is the right of the

Resumption of máfis jágírdár Rájás to resume the petty assignments of revenue in jágír villages. made in old times from villages wholly in their jágírs. In Lambagráoñ the old entry made by Mr. Lyall has been continued to the effect that the Rája may resume any grants that have been made by him and his predecessors, and he is now taking steps towards the resumption of many small grants. It was decided in 1863 (see paragraph 201 of Mr. Lyall's Report) that the Government should not interfere between the Rájás and holders of subordinate grants except in very special cases; but as the grants have all been recorded in the revenue papers, the Collector has before resumption an opportunity of giving advice, and the Rája of Lambagráoñ has shown a creditable willingness to listen. A dispute arose in the course of the settlement between this Rája and the ijáradárs or katoch holders of favourable leases for the collection of revenue referred to by Mr. Lyall. Each claimed the benefit of enhancement of revenue, and it was decided that the ijáradárs should continue to make the same payments to the Rája as before, and the Rája was left to a remedy in the Courts. There are too many sharers in these leases and too much bad feeling to make a compromise possible, otherwise the case is eminently one for compromise. It was also decided that Miáns Jagrúp Chand and Daljít Chand, cousins of the Rája, were entitled only to the amounts of Rs. 3,000 and Rs. 2,000 originally fixed as their maintenance grants and not to the enhanced revenue assessed on the sub-jágírs given to them in payment of these grants, and further that these Miáns have no independent rights in their sub-jágírs but merely occupy the position that the Rája would have held but for the assignment. It was further decided both in Lambagráoñ and in Nádaun that the maintenance grants were held only for life and were subject to reconsideration on the death of holders. In Guler and Síba there are not many máfis the small service grants were resumed during settlement in Síba, and in Lambagráoñ. The máfis in Nádaun lapse or are resumed in favour of the Rája in accordance with orders referred to elsewhere.

124. In 1860, in order to facilitate the introduction of tea, the Gov-

ernment acquired from the people an area of 2,596 acres and land held free of revenue. resold it to the European settlers; and again in 1863, 2,549 acres were acquired and similarly disposed of (see paragraph 65 of Mr. Lyall's Settlement Report). The condition on which the planters bought the land from Government was that it should be free from all future demand on account of

land-revenue, but be liable like all other land to the payment of cesses for local improvements. The revenue of a small plot of land near Kánpur was redeemed about the same time. All the land thus sold or redeemed is generally described in the revenue records as held in fee-simple. It was assessed at Rs. 1,660. for the purposes of cesses. It was found in the course of the settlement that the lands thus held free of revenue had passed out of the hands of the original purchasers and the question was raised whether in such cases the revenue should not be collected, but Mr. O'Brien held that it was never intended that on the sale of the land or on its use for other purposes than the cultivation of tea the revenue should be charged upon it.

125. Just before the settlement began there were 163 patwáris in the Patwári and Káunúgo khálsa villages, inclusive of the Kutlehr jágír which for all staff administrative purposes is treated as khálsa. They were paid by circles, not grades: more than half were drawing less than Rs. 10 a month, and a fourth got less than Rs. 8. The patwári cess was at this time  $4\frac{1}{2}$  per cent., bringing in about Rs. 27,000 per annum, but of this Rs. 2,800 was given as allowances to kotwáls or zaíldárs, and up to 1856, the Kaiths who supervised the patwáris before the appointment of káunúngos got Rs. 2,625. A sum of only Rs. 18,571 was spent on the pay of the patwáris, and any balance there was went to the repairs of patwárkhánás, the patwár school and supply of stationery. At first it was supposed that the consolidation of survey numbers might obviate the necessity for increasing the staff, but Mr. C. Rivaz pointed out that an increase was absolutely necessary, at least temporarily during assessment operations. The scheme for funding the cess and grading the patwáris provided for an increase from 163 to 215 in the khálsa estates, the pay being Rs. 8, Rs. 10, and Rs. 12 per mensu. As to the jágírs there were in Nádaun and Guler no patwáris before the settlement, and no records were maintained. In Líambagráon there were only two, an utterly inadequate number, and only one gir-dúwari had been made since the settlement in 1869. In Síba 6 patwáris were appointed in the summary settlement. Thus there were only 8 patwáris in these four large jágírs. Mr. Rivaz raised the number to 30, making a total for the khálsa and jágír estates of 243, in place of 171. But even with this great increase the average number of fields was as much as 17,158 in Hamírpur and 6,834 in Kángra. The estimated expenditure exceeded the income of the Fund by Rs. 7,500, exclusive of the cost of the jágír establishment; but it was expected that at the new assessment the patwár cess would be raised and the revenue enhanced, and that then the income would cover the expenditure. Until this increase in income could be realized, the extra expenditure had to be met from the settlement budget. The number was ultimately raised to 270.

The kānūgo staff was organized just before the settlement, and after some changes both in that staff and in the patwāri establishment the agency for village records was constituted as under.

*Statement showing patwari and kānūngō establishment.*

126. The patwár cess proposed by Mr. O'Brien was 5 per cent. on the revenue, but for convenience of calculation it was raised to Rs. 5 3-4 per cent., or 10 pies per rupee of the revenue. The total income of the patwár fund is about Rs. 45,000, and the expenditure is almost Rs. 44,000. A proposal is being now made to raise the pay of the assistant patwaris from Rs. 8 per mensem to Rs. 10, but even with this change there has been a vast improvement in the pay of the patwáris, and with that improvement the class of men applying for the post has risen. Ten per cent. have passed at least the Middle School Examination, and that though education in this district is in an exceptionally backward state. Of the 270 patwáris, 174 are Rájpúts, Brahmins, Girths, Ráthis and Thákurs, which are the great land-owning classes in this district. There are still too many Mahájans and Khatris, but the number has been steadily decreasing, and of late the candidates who have passed through the school almost all belong to the agricultural classes. All the patwáris except 40 are residents of the district; most of the 40 were imported from Hoshiárpur when the patwár staff was increased.

In spite of the reduction in field numbers and the increase in the staff, the patwáris have still on an average just over 6,000 fields each, and in Hamírpur they have over 8,000. The number of cultivating holdings is, however, moderate, as was to be expected in a country of self-cultivating proprietors. This is specially the case in Hamírpur where most of the Rájpúts and Brahmins cultivate with their own hands; but in that tahsíl the custom of *patu-vand* or partition of fields prevails to a great extent, and thus the fields are very numerous.

127. No changes were made in the number of kotwáls (who correspond to the zaildárs of the plains) or in their circles, but the mode of remuneration was altered. As explained elsewhere, they used to get part of the patwár cess, but this was abolished and each kotwál was given one per cent. on the revenue of his circle, and revenue to that amount was assigned for this purpose. Besides the kotwáls there are chaudhri inámdárs holding assignments varying from Rs. 17 to Rs. 107. These are representatives of old families, and it was decided in the course of the settlement that the inamdaras were not to come under the same Land Revenue Rules as zaildárs, but that the grants should be considered as hereditary in the family if there is any member of it fit to render assistance to the District authorities, and that the succession to them should be sanctioned by the Financial Commissioner, and that resumptions should not be effected without similar sanction. There are also similar grants in the Hamírpur tahsíl given after the settlement to three influential landowners who used to get a percentage out of the lambardárs' *pachhotra* which percentage was abolished and an *inám* granted in its place. A small *inám* of Rs. 50 was granted to Rai Bar-ru, kotwál of Bir, for his life, in recognition of services rendered during the settlement. Besides these assignments eleven grants of Rs. 48, three of Rs. 40, six of Rs. 36 and four of Rs. 24, were made to contractors at various stages in consideration of their arranging for coolies and supplies for travellers.

Mukaddams who are headmen of *tikás* (see paragraph 199 of Mr. Lyall's Settlement Report) have not been appointed in this settlement. Mr. O'Brien found that they had not worked well. Part of their remuneration was exemption from *begár* with the enforcement of which their duties were principally concerned; *begár* has now been abolished and the remaining remuneration was too small. On the other hand, the lambardár had become a more important personage and had in fact extinguished the mukaddams and made his existence impossible.

128. The question of the appointment of lambardárs in the large *jágírs* was raised by the Rájás who wished themselves to be considered as the lambardárs and to be permitted to discharge duties through agents. In Kutlehr the Deputy Commissioner had always appointed the lambardárs, and no change has been made in this case and the ordinary rules apply. In the other four *jágírs* the lambardárs appointed any lambardárs there were. Many abuses were found to exist; *nazarána* was taken, the men appointed were hangers-on of the Rájás being

neither tenants nor landowners, and generally absentees. Mr. O'Brien considered that in future lambardárs should be appointed strictly in accordance with the rules under the Land Revenue Act, but that the Deputy Commissioner should consult the jágírdár and accept his nomination provided the nominee complied with the conditions of the rules. Sir James Lyall pointed out that the appointment of lambardárs from among the inferior proprietors to hold office hereditarily and quite independently of the superior proprietor or jágírlár Rája would be a great revolution in Síba, Guler, Nádaun and Lambagráon. He did not think it necessary that the lambardári arrangements in these Rája jágírdárs estates should follow the general rules, but thought that special rules were probably advisable and directed further consideration both as to lambardárs and as to patwáris; and he also suggested that a single lambardár should be appointed for the *tappa* with mukaddams under him for the *tikas* or hamlets, the lambardárs and mukaddams sharing the *pachhotra*. He thought that hereditary claims should not be considered. Mr. O'Brien did not advise the appointment of mukaddams and he adhered to his opinion that the hereditary principle should be followed and the jágírdár consulted only when it was necessary to go outside the late lambardár's family. As to the patwáris he suggested that in order to prevent a man obnoxious to the jágírdár being appointed a rule might be made that the Collector should consult the jágírdár. In the end the rules were changed in regard to the four jágírs Síba, Guler, Nádaun and Lambagráon, and in place of hereditary claims, the recommendation of the jágírdárs has to be considered in the appointment of lambardárs who are also made liable to dismissal if they are obnoxious to the jágírdár. A rule was also made that the Collector should consider any representations made by the jágírdárs or the agriculturists of a patwári's circle concerning the appointment of the patwári. (See amendments to Rules 17, 175, 176, 177 and 179 under the Land Revenue Act). In accordance with Mr. O'Brien's recommendation, which was accepted by the Local Government, no kotwáls or zaíldárs have been appointed in the large jágírs of Nádaun, Síba, Guler and Lambagráon, but the Rájás appoint men who carry out all the duties of the post and draw their pay, whatever it may be, from the Rájás.

129. At the regular settlement the system of *begár* or forced labour Abolition of *begár* or forced labour. was in full operation and was recognized and perpetuated, and it was not interfered with at the revised settlement of 1866-69. In that settlement Mr. Lyall recorded in detail the conditions under which it could be exacted, and prepared lists of the landowners classified according to the *begár* they had to perform. In Kánpur the records provided for the passing on of official letters and parcels without remuneration (known as *sat-bahaki begár*) and for the supply of labour for travellers at the various stages, the *begárí*s remaining present in turn (*pala*). For the carriage of loads full wages were to be paid, but the coolies had to remain present at the stages waiting for travellers who might or might not come (see paragraphs 433, 434 of Mr. Barnes' Report and paragraphs 140, 151 and 194 of Mr. Lyall's Report).

The abuses of the system were frequently referred to in correspondence after 1870, but it was not until 1883 that any serious attempt was made to reduce its burdens and to put it on a more reasonable, if not on a legal, basis. In March of that year Sir James Lyall wrote a note condemning the abuses of *begár* and specially of *pala begár*; and Sir Charles Aitchison proposed to abolish it altogether and ordered that "for the repairs of roads as well as the construction of new ones, for the carriage of goods and luggage, for the conveyance of *daks* and all other such matters, voluntary labour must in future take the place of *begár* and the market rate of remuneration must be paid." Against this the Commissioner protested and recommended that no order be issued that no one was to be compelled to work against his will, but that it should be explained to the registered *begárí*s that they would have to render customary labour in their turn, but should receive full remuneration and should not be compelled to sit in enforced idleness at the *pala*. On this and other similar representations Sir Charles Aitchison was convinced that his proposal to formally and completely abolish the system could not be carried out, and he accordingly issued orders that things should be allowed to go on as before, provided 1st, that no official in procuring labourers should commit any breach of the law; 2ndly, that certain

abuses, such as that connected with the *pala*, should not be allowed to continue ; and 3rdly, that all work done should be paid for at full rates. It is not clear whether this last condition was intended to apply to *sat-bahaki begár* which had never been paid for.

130. Upon this the *pala* system, which was certainly an abuse and against which the complaints of the people had been almost entirely directed, was abolished. Roads were repaired by voluntary labour, and the lambardárs arranged for coolies required by officials and by travellers, and they got a full wage. Mules began to be more commonly used, and the transition took place without great inconvenience. The question did not arise again until the very end of the settlement, when some complaints were made against *sat-bahaki begár*. Mr. O'Brien's intention was that all except *sat-bahaki begár* should be abolished, and he was under the impression that this form of *begár* had been provided for in his new *Wájib-ul-árz* and he enforced it by fines up to his death. Under the orders of Sir Charles Aitchison, Mr. O'Brien might have "reproduced in his records all the provisions of the former records regarding *begár* in so far as they merely imposed an obligation to work and arranged for the distribution of the work among the people," but the only reference to *begár* in the new records is that it has been abolished. On a reference made after Mr. O'Brien's death the Commissioner (Mr. D. Ibbetson) expressed a very strong opinion that *begár* should be so regulated as not to become unreasonably burdensome, but should never be abolished except in cases where it is clearly shown that such regulation is impracticable. He thought forced labour as opposed to unpaid labour was an absolute necessity in this country ; it was understood by the people and was preferred to the increased taxation which its abolition would involve. The orders of Government were that objection might be taken under Section 37 of the Land Revenue Act to the manner in which the new records had been prepared, or the entries in the old records might be relied upon under Section 32 (3) of the Act, and that if hereafter any real difficulty should arise about procuring labour, this might have to be done. But it was considered unwise to raise such a large question by insisting on the landowners doing *sat-bahaki begár* without payment as it might lead to the people refusing to work even for payment. It was accordingly decided that the lambardárs should be left, as in the plains, to arrange in their own way for the carrying of letters and packets on the public service, and that if they could not arrange, then the district post and the village chaukidárs should be used.

131. The question of *begár* in Kulu has also been considered since the settlement. It was decided that the system could not be defended there on the ground that *begár* was taken in lieu of part of the land-revenue remitted as it might be under Section 147, Land Revenue Act, as the revenue was assessed and is collected as if there was no *begár*. This objection applies equally to Kánpur. But *begár* had according to the ancient custom of the country been taken in Kulu and also in Kánpur in addition to a full revenue, and it was considered possible to establish the right in Kulu on a legal footing simply on the ground of custom. But the Lieutenant-Governor was averse to testing the matter by going into Court, and also to seeking the aid of the Legislature to put the right on an indisputable and workable footing. It was accordingly decided that all labour should be paid for at proper rates, that it was unnecessary to consider at this time the question whether free labour at full rates of wage would be forthcoming, until it was seen how the new system worked, and that lambardárs should be considered responsible for coolies and supplies for travellers. The result then is that in both Kánpur and Kulu there is now no such thing as unpaid forced labour, that the system of trusting entirely to voluntary labour is on its trial, and that if a full wage fails to secure sufficient labour, it may be necessary to fall back on the recorded right of the Government to take labour from all landowners in addition to the land-revenue.

132. In reporting on a petition presented by jágírdár Rájás Mr. O'Brien wrote that *begár* would be dealt with when the administration paper was prepared : where it was found to exist, the custom would be recorded and the persons by whom it was to be rendered would be defined. The custom, he remarked, was dying out, but

where it still remained he intended to propose to the jágírdár and to the landowner who renders *begár* a commutation into a cash payment, and where the parties would not come to terms the existing custom would be recorded. The Financial Commissioner, while pointing out that the jágírdár chiefs naturally felt keenly the gradual but inevitable curtailment of their former privileges, did not see how the matter could be dealt with otherwise than in the way proposed by Mr. O'Brien, and the Lieutenant-Governor also approved. In no case did Mr. O'Brien record any right of any jágírdár to exact *begár*. No doubt the Rájás would have gladly given up part of the revenue or of their *talukdári* dues in consideration of such a right, and that even though they might have had but little chance of ever enforcing the right.

133. The subject of *lahri-básis* is intimately connected with *begár*, and

Lahri bási grants and begár in jágírs. the jágírdár Rájás have expressed their dissatisfaction with the manner in which these grants have been treated.

These *lahris* consisted of "one or two fields held by *kamíns* or families of low caste who supported themselves mainly by handicrafts," and were held revenue-free in consideration of service rendered to the Rájás, of whom they held their lands. The *lahridárs* is fully described in paragraph 37 of Mr. Lyall's Settlement Report. At the summary settlement of Síba, it was found that certain classes held their lands or part of them free of revenue in lieu of services which were recorded (see paragraphs 111—116). There were many *lahri* grants in *khálsa* villages as well as in the *jágírs*, and the *lahridárs* did occasionally render some service to the village proprietors, at least where, as in Núrpur, the tenures approximated to those of the plains. Early in the settlement it was noted that these *lahris* were held free of revenue, and were described as *abádi*, and that no record was made of the persons to whom they belonged. Mr. O'Brien then had them all assessed to revenue, and in the case of *khayachára* villages the occupants were declared to be proprietors, and in the case of the few *zamíndári* villages occupancy-tenants.

That was how the matter was disposed of in the *khálsa* villages. In the *jágírs* also the new records show no revenue-free grants to *lahridárs*, and of course no record of services to be rendered. The matter was left to be arranged between the Rájás and the old *lahridárs*. The services were certainly of more value to the Rájás than the revenue assigned, and they were willing to remit the revenue, but the *lahridárs* refused to render the service as soon as they were recorded proprietors. In my opinion, the *lahridárs* got more from the Rájás than a mere assignment of the revenue, for the right to settle down and to hold a patch of cultivated ground was no doubt originally granted to these *kamíns* on the distinct understanding that they would render certain services (see paragraph 70 of Mr. Lyall's Settlement Report). In Nádánn they were at first recorded as occupancy-tenants in accordance with the orders for *khálsa zamíndári* villages, but this was changed and they were made *málik-kabza*. In other *jágírs* they were entered as ordinary proprietors.

In reporting on a petition presented by the Rája of Síba complaining that the services of holders of *lahris* had not been entered in the revenue records, I wrote that if the revenue-free grants had been continued and the services recorded, the old custom would have been perpetuated without complaint, but that it was now too late to go back. Though it was not quite a matter of *begár*, still it was closely allied to it, and the Settlement Officer might have acted in accordance with the proposals made by him and accepted by the Government for the record of customs found to exist. But as the *lahridárs* have now been recorded as proprietors, they can scarcely be called upon to render service in lieu of the revenue which has been settled with them, unless they and the jágírdár can come to some mutual understanding.

In spite therefore of the objections raised by the jágírdárs no change has been made in the records as originally prepared by Mr. O'Brien.

134. Closely allied to the subject of *lahridárs* is that of *banwazíri*, the nature of which was described in paragraphs 33, 34 of Banwazíri. Mr. Lyall's Report. These miscellaneous dues were abolished in *khálsa* villages at the first settlement, but it will be seen that

Mr. Lyall himself considered that the cesses paid by artizans and shopkeepers and which had no connection with the land were open to no good objection and that a tax of this kind ought to have been kept up. In the Lambagrón jágír, of which he made the first regular settlement, he continued these dues by means of an entry in the *Wájib-ul-árz*, and that entry has now been restored by me in so far as it was not abrogated by the new assessment. The order passed by me is that any dues paid by the landowners and agricultural tenants shall be considered, as included in the consolidated *talukdári* allowance assessed in cash; and thus no *banwázíri* can be levied in such cases. But where a resident has no land beyond the site of a house, it cannot be supposed that the new assessment in any way affected him, and therefore in regard to him the old entry was allowed to stand. The Rája of Lairbagráon has accordingly resumed his demands from weavers, oilmen and so on, but only from those who are neither owners nor cultivators of land.

135. The cesses before the assessment amounted to about Rs. 19-8-8 ;  
 Cesses. the patwár cess, which was divided among the patwáris,  
 the Káiths and the kotwáls, varied from village to village.  
 The cesses now levied are as under—

		Rs.	a.	p.
Local rate	... ...	10	6	8 per cent. on the revenue.
Patwár cess	... ...	5	3	4 "
Lambardári	... ...	5	0	0 "
		20	10	0

These are not "village cesses" as defined in the Land Revenue Act, but they have been shown in the records as if they were. There is no *malba* in this district. Any expenditure incurred by the lambardárs on account of the community, e.g., uniform for chaukidárs, repairs of boundary pillars, is met from the income derived from common property such as from water mills, grass in closed forests, share of sale proceeds of trees, new cultivation or from rent of common cultivated land. Should there be no such common income, the expenditure is báchhed over the village in the usual way. The dues to be paid to the *rákhás* or forest watchmen are not entered as cesses, but the *rákha* is classed as a village servant along with the blacksmith, the carpenter and the kohli, whose remuneration is entered in the *Wájib-ul-árz*.

136. The sanctioned estimate of the expenditure as at first framed for six years amounted to Rs. 1,51,440, but this was afterwards increased by Rs. 10,000 per annum in 1890, so that it may be said the sanctioned expenditure was about Rs. 1,80,000. According to Annual Statement XXXIV the expenditure is shown as Rs. 3,09,660 (1894-95), but as has been explained in correspondence as to the share of the cost to be paid by the jágírdárs this includes the pay of gazetted officers engaged in the settlement, whose salaries had to be paid under any circumstances and who were not employed exclusively on settlement duties. As far as I have been able to ascertain, the total expenditure from Imperial Funds incurred on account of the settlement of the whole district amounted to Rs. 1,51,000, after deduction of certain items refunded on account of grant-in-aid to the Patwár Fund. Of this Rs. 19,000 has been recovered from jágírdárs, leaving a net expenditure to Government of only Rs. 1,32,000, of which Rs. 26,500 has to be charged to Kulu, and the balance of Rs. 1,05,500 to Kángra Proper. The total increase in *khúlsa* assessment was a little over a lakh of rupees, so that the cost in money was recovered in less than a year and a half. From another point of view it was a very expensive settlement, for the health and the lives of several officers are popularly—and probably rightly—charged to its account.

137. In the Secretary to Financial Commissioner's No. 414 of 1st May Cost of the settlement 1886, it was roughly estimated that the jágírdárs would to jágírdárs contribute about half a lakh to the cost of the settlement, but this estimate was made on the understanding that the greater part of the district would be remeasured and that the cost without taking account of superior establishment would be about three lakhs of rupees. The whole nature

of the settlement was subsequently changed, and the expenditure much reduced, so that the *jágírdárs* paid only Rs. 19,006. No accounts of the actual expenditure on each of the large *jágirs* were kept; the ordinary rule of distribution according to the amount of revenue was followed.

In Nádaun, Síba and Guler, where measurements had to be made and records prepared for the first time, the expenditure must have been much greater than in the *khálsa* villages where no remeasurements were made and the old record was only revised. In these three cases the *jágírdárs* got the settlement done for them very cheaply; but in addition to their contributions, they had to pay for the *patwáris* appointed during the settlement, from the time of their appointment up to the time the new assessment came into force.

138 In concluding this report I wish to put on record in this place the official letter sent by the Lieutenant-Governor expressing His Honor's regret at the death of Mr. O'Brien.

"The Lieutenant Governor has heard, with great regret, of the death of Mr. E. O'Brien, Deputy Commissioner of Kánpur, which took place at Dhármála yesterday afternoon (November 28th, 1893). Mr. O'Brien had been on tour with His Honor for just a month when the unfortunate accident, which has ended fatally, occurred on the 24th instant, and Sir Dennis Fitzpatrick had renewed with much pleasure the close acquaintance which he had with him many years ago in Delhi. His Honour therefore feels the loss as a personal as well as a public one. It was only a few days ago that in passing orders on the Hamírpur Assessment Report the Lieutenant-Governor specially acknowledged the services of Mr. O'Brien and his subordinates in connection with the task of the Kánpur settlement, little thinking at the time that the officer to whose wise direction and sympathetic knowledge the success of the work is due, would be beyond the reach of human praise before those orders could be published. In Mr. O'Brien the Government has lost a tried servant of exceptional knowledge of the people among whom he had lived and exceptional sympathy with them, and he will be long regretted by those who were in daily contact with him while he was in charge of Muzaffargarh and Kánpur settlements as well as by the Punjab Government which could always turn to him with confidence for advice in all matters relating to the welfare of the native community."

DHARMSALA, 19th March 1897.

ALEX. ANDERSON,

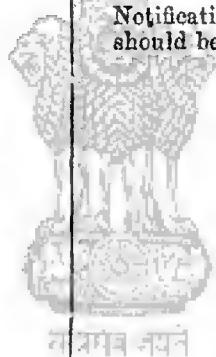
Deputy Commissioner.



## APPENDIX

*Gazette Notifications regarding the revised settlement of the Kánpur district.*

No.	Date.	Subject.
25	26th January 1888	...   ...
		Notified that a general re-assessment of the land revenue of the Kánpur district was about to be undertaken.
26	26th January 1888	...   ...
		Notified that records of rights should be prepared for the <i>jágirs</i> of Guler, Síba and Nádaun.
337	25th May 1891	...   ...
		Directed that the records of rights in all estates in the Kánpur district, the estates referred to in Notification No. 26, dated 26th January 1888, should be specially revised.



## APPENDIX II

*Memorandum of matters discussed by the Lieutenant-Governor with Mr. O'Brien and Mr. Diack at Dharmshala.*

THE Lieutenant-Governor discussed the following points with Mr. O'Brien and Mr. Diack to-day.

(1). *System of assessment.*—Mr. O'Brien explained that his usual way of proceeding was to examine the statistics of each *lika* on the spot and to then (1) pick out and assess separately any large holdings on which a considerable increase was shown by statistics to be assessable, and (2) where a general enhancement seemed demandable, to fix a reasonable sum to be distributed rateably over the smaller holdings. His Honor considered this procedure was probably right, and expressed the view that the Settlement Officer need not shrink from imposing such rateable increases on small holdings, however small they may be, provided that the percentage of enhancement is a low one.

(2). Mr. O'Brien stated that he was not making much allowance to high-cas' *Rājput*s in his assessments, though as a fact they were often left assessed below other cultivators, because their former *jamas* were put so light by Mr. Barnes. His Honor expressed the view that it was impossible for these *Rājput*s to make so much out of their land as *Girths* and other agriculturists can, and that it was fair and politic to continue to make some allowance to them in assessing their holdings.

(3). His Honor enquired if in the *jágirs* the villagers would not have to pay something to the *ála-málik* *jágirdárs* (over and above the fuller assessments as compared to *khálsa* villages which they already pay) by way of *lalukdári* right or the like. Mr. O'Brien said it was his intention to propose some such payment, and that perhaps certain cesses, such as the *ghiána*, *dumiána* and *bechghál*, would be merged into it.

(4). The Lieutenant-Governor enquired what was being done as regards certain *máfidárs* and heirs of *máfidárs* of long standing with whom settlement was made at favourable terms on resumption of *máfi*s. His Honor referred to the rules under the Land Revenue Act recently published in this connection and expressed the view that many of these *máfidárs* deserved consideration and should receive it, as it was a doubtful question at last settlement whether these men should be entered as owners as well as *máfidárs* or not. Mr. O'Brien explained that he thought that in many cases the existing settlement could be maintained, and that the system of *rurhu* (fixed payments in kind) between the two parties might be continued.

(5). The question of conversion of payments in kind into payments in cash in the big *jágirdárs*' villages was also touched upon, and Mr. O'Brien expressed the opinion that the conversion should be carried out as far as possible. His Honor agreed that in most cases conversion to cash would probably be best for both parties, but remarked that customary grain payments could be continued if advisable in estates where the *jágirdár* was also superior proprietor, and that where the *jágirdár* *ála-málik* has hitherto been collecting in kind and payments are converted into cash, the cash demand as revenue and *ála-málik*s' dues should be something fairly equivalent to the old collections.

(6). His Honor said that a number of complaints had been made to him that the Municipality of Dharmshala in managing the waste and forest lands entrusted to its charge was gradually depriving the villagers of their rights of use and of property in such lands. The property in the soil of these forest lands belonged to the people, and not to Government or the Municipality, as in the case of Murree and Simla, and the rights of the *khewatdárs* in them should be respected. The people complained of the issue of large numbers of permits to *jhampánis*, &c., to collect wood and grass. His Honor expressed the opinion that if the special circumstances which had grown up in Dharmshala necessitated arrangements which tend to nullify or restrict the *khewatdárs*' use and enjoyment of the land, then they should be somehow compensated by getting a share of the income realised from these forests by the Municipality. (This can be considered when the separate reference as to the exclusion of the ext. municipal-boundary forest from the Municipal Committee's jurisdiction is received).

(7). His Honor then asked if Mr. Anderson's rules as to *Gaddí*s and their flocks were found to work harshly in the Kulu valley or in the villages along the Dhaola Dhét in Kánpur. Mr. O'Brien and Mr. Diack thought not but were uncertain how far the rules were actually enforced. His Honor was of opinion that the subject was a very difficult one for regulation by hard-and-fast rule, and that it was likely that any rules devised would have to be worked with much consideration, and he asked Mr. O'Brien to bear the subject in mind.